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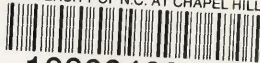
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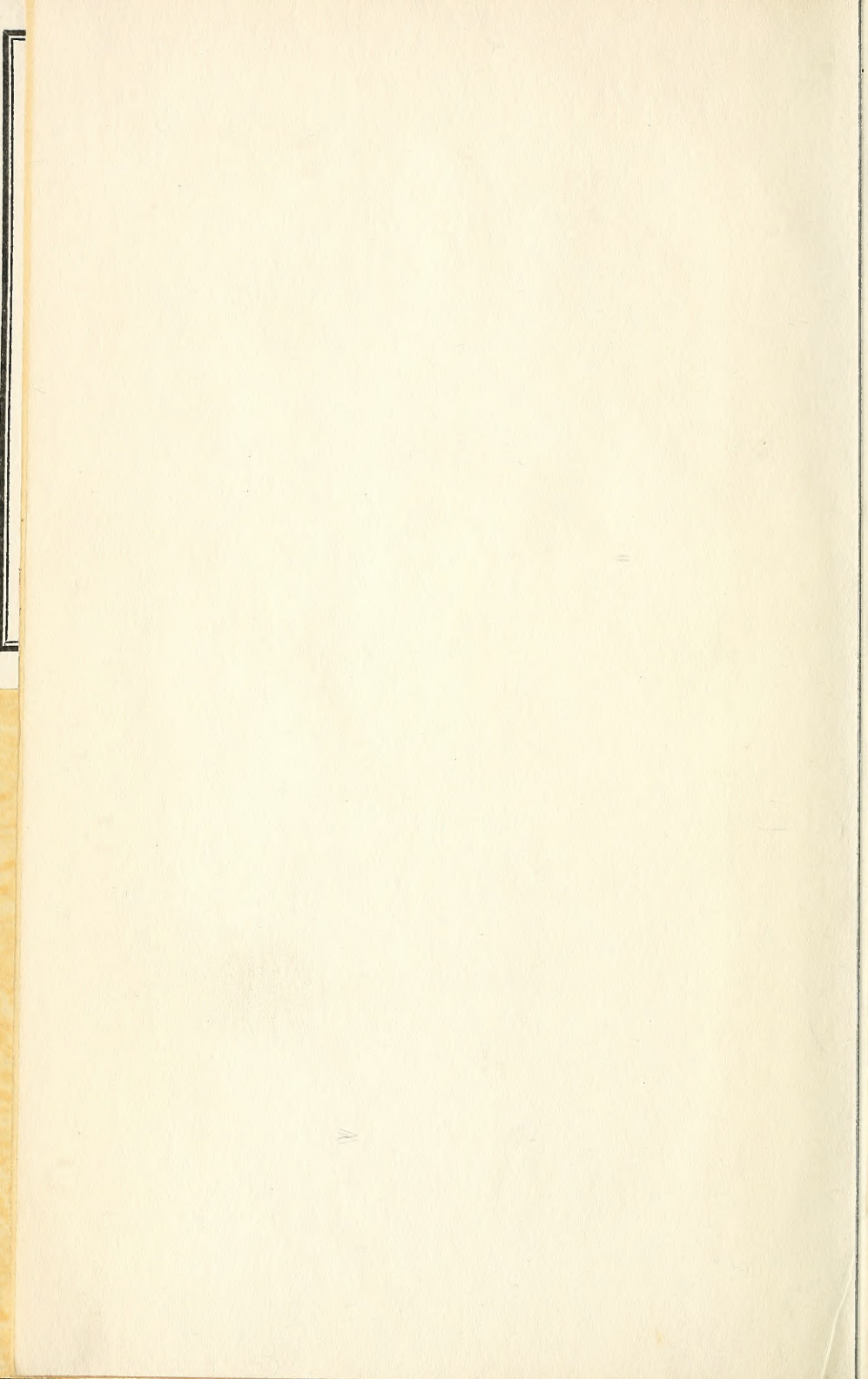
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JOURNAL

OF THE

Constitutional Convention

OF THE

STATE OF NORTH CAROLINA,

HELD IN 1875.



RALEIGH:

JOSIAH TURNER, STATE PRINTER AND BINDER.

1875.

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met: Sept. 6, 1875
adj: Oct. 11, 1875

JOURNAL

OF THE

CONSTITUTIONAL CONVENTION,

OF 1875.]

FIRST DAY.

MONDAY, September 6, 1875.

By virtue of an act of Assembly ratified on the nineteenth day of March, in the year of our Lord one thousand eight hundred and seventy-five, a Convention of the people of North Carolina met in the hall of the House of Representatives, at the city of Raleigh, to-day, Monday, September the sixth, A. D. 1875, for the purpose of considering and adopting amendments to the Constitution of the State.

At 12 M, the delegates were called to order by his Honor Thomas Settle, one of the Associate Justices of the Supreme Court.

The Chair designated Messrs. Young of Granville, French of New Hanover, Cunningham of Person, and Bennett of Anson, to assist him in the discharge of his duties.

The delegates designated came forward and took their seats at the Clerk's desk.

Mr. Tourgee offered the following protest :

We, the undersigned, delegates elect to this Convention, protest against the validity of the oath prescribed in the act of

the General Assembly calling this Couvention as being beyond the power of any Legislature to impose, contrary to the political history, usages and precedents heretofore acknowledged and acted upon for forty years by both political parties in this State, subversive of the rights and derogatory to the dignity of the people of the State.

A. W. TOURGEE,	delegate from Guilford	county.
GEO. Z. FRENCH,	"	" New Hanover "
W. J. MUNDEN,	"	" Pasquotank "
S. H. MANNING,	"	" New Hanover "
JOSEPH DIXON,	"	" Greene "
WILSON CAREY,	"	" Caswell "
J. O. CROSBY,	"	" Warren "
J. A. BULLOCK,	"	" Granville "
J. Q. A. BRYAN,	"	" Wilkes "
J. W. ALBERTSON,	"	" Perquimans "
ALLEN JORDAN,	"	" Montgomery "
J. WILLIAMS THORNE,	"	" Warren "
P. T. MASSEY,	"	" Johnston "
J. F. WOODFIN,	"	" Henderson "
W. H. WHEELER,	"	" Forsythe "
O. H. DOCKERY,	"	" Richmond "
A. L. DAVIS,	"	" Wake "
A. McCABE,	"	" Edgecombe "
W. P. MABSON,	"	" " "
J. J. NOWELL,	"	" Wake "
J. ORRIN WILCOX,	"	" Ashe "
B. F. JONES,	"	" Yadkin "
J. M. JUSTICE,	"	" Rutherford "
B. R. HINNANT,	"	" Johnston "
J. F. SCOTT,	"	" Jones "

There being a quorum present, the Chair ordered the roll of the counties of the State to be called in their alphabetical order, and the delegates elect to come forward, as their respective counties were called, and present their certificates of election.

Under this call the following delegates appeared, produced their credentials, and were sworn in by his Honor Judge Settle, as prescribed by the act of Assembly aforementioned:

From the county of

Alamance—James E. Boyd.

Alexander—Reuben Watts.

Alleghany—E. L. Vaughan.

Anson—Risdén T. Bennett.

Ashe—J. O. Wilcox.

Beaufort and Pamlico—James E. Shepherd.

Bertie—F. W. Bell.

Bladen—A. McDonald.

Brunswick—Edward W. Taylor.

Buncombe—Thomas L. Clingman and David Coleman.

Burke—Alphonso C. Avery.

Cabarrus—R. W. Allison.

Caldwell—Edmund W. Jones.

Camden—J. L. Chamberlain.

Caswell—E. B. Withers and Wilson Cary.

Carteret—James Rumley.

Catawba—M. L. McCorkle.

Chatham—John Manning and W. F. Strowd.

Cherokee and Graham—J. W. Cooper.

Chowan—John R. Page.

Clay—J. S. Anderson.

✓ Cleaveland—Plato Durham.

Columbus—Forney George.

Craven—R. F. Lehman and John S. Mannix.

Cumberland—Ralph P. Buxton and J. C. Blocker.

Currituck—W. H. Cowell.

Dare—G. B. Bliven.

Davidson—F. C. Robbins and B. B. Roberts.

Davie—Charles Price.

Duplin—John N. Stallings and William Farrior.

Edgecombe—W. P. Mabson and A. McCabe.

Forsythe—W. H. Wheeler.

- Franklin—W. F. Green.
Gaston—Jonas Hoffman.
Gates—W. P. Roberts.
Granville—Isaac J. Young and J. A. Bullock.
Greene—Joseph Dixon.
Guilford—Albion W. Tourgee and A. S. Holton.
Halifax—J. E. O'Hara and J. J. Goodwyn.
Harnett—John H. Harrington.
Haywood—Samuel L. Love.
Henderson—John F. Woodfin.
Hertford—J. J. Horton.
Hyde—W. S. Carter.
Iredell—T. A. Nicholson and C. A. Summers.
Jackson—G. W. Spake.
Johnston—B. R. Hinnant and P. T. Massey.
Jones—J. F. Scott.
Lenoir—R. W. King.
Lincoln—Caleb Motz.
Macon—W. N. Allman.
Martin—C. B. Hassell.
McDowell—Samuel J. Neal.
Mecklenburg—Rufus Barringer and W. M. Kerr.
Madison—J. G. Anderson.
Montgomery—Allen Jordan.
Mitchell—J. W. Bowman.
Moore—W. M. Black.
Nash—B. H. Bunn.
New Hanover and Pender—G. Z. French, S. H. Manning
and J. H. Smythe.
Northampton—Wm. Barrow.
Onslow—James G. Scott.
Orange—Josiah Turner.
Pasquotank—W. J. Munden.
Perquimans—J. W. Albertson.
Person—J. W. Cunningham.
Pitt—Thomas J. Jarvis and Wm. M. King.

Polk—N. B. Hampton.

Randolph—J. W. Bean and A. M. Lowe.

Richmond—Oliver H. Dockery.

The county of Robeson being called, Messrs. Duncan Sinclair and C. A. McEachin and Messrs. R. M. Norment and Neill McNeill appeared in response thereto, the latter resisting the right of the former to seats in the Convention.

Thereupon, the Chair ordered the several claimants to stand aside until the call of the counties was concluded; and ordered the Clerks to proceed with the roll, and the following delegates were sworn in:

From the county of

Rockingham—David S. Reid and J. Turner Morehead.

Rowan—F. E. Shoher and John S. Henderson.

✓ Rutherford—James M. Justice.

Sampson—William Kirby and S. J. Faison.

Stanly—Joseph Marshall.

Stokes—W. W. McCanless.

The county of Surry was called. Joseph Dobson appeared in response to the call, and offered his certificate of election. Objection being raised to his being sworn in, Mr. Dobson stood aside for the present; and the call of the counties was proceeded with.

The following delegates appeared, presented their credentials, and were sworn in:

From the county of

Swain—E. Everett.

Transylvania—G. W. Wilson.

Tyrrell—Edward Ransom.

Union—T. W. Redwine.

Wake—M. C. Hodge, A. L. Davis and J. J. Nowell.

In response to the call of Wake county, R. C. Badger also appeared, and offered his credentials; but, objection being raised to his being sworn in, he stood aside for the present.

Warren county was then called.

J. W. Thorne and J. O. Crosby appeared in response thereto, presented their certificates of election, and were sworn in.

Washington county was next called.

J. M. Bateman appeared and offered his credentials, but objection being raised to his being sworn in, he stood aside for the present.

The Clerk proceeded with the roll call, when the following delegates appeared, presented their credentials, and were sworn in :

From the county of

Watauga—Hervey Bingham.

Wayne—W. T. Faircloth and G. H. Grantham.

Wilson—R. W. Singeltary.

Wilkes county was next called.

T. J. Dula and J. Q. A. Bryan appeared in response thereto, and offered their credentials; but, objection being raised to their being sworn in, they stood aside for the present.

Then the county of Yadkin was called.

B. F. Jones appeared and offered his certificate of election; but, objection being raised, he stood aside for the present.

The county of Yancey was next called, when C. R. Byrd appeared, presented his certificate of election, and was sworn in.

Robeson county was again called, when Messrs. Duncan Sinclair and C. A. McEachin, and Messrs. R. M. Norment and Neil McNeil again appeared, the two former presenting certificates from the sheriff of Robeson county, and the two latter presenting certified returns of the poll holders of the different precincts in Robeson county.

The Chair ordered the Clerk to read the certificates and statements presented by the claimants.

The Clerk read as ordered.

Thereupon, the Chair decided that Messrs. Duncan Sinclair and C. A. McEachin were entitled to be seated in this Convention as the delegates elect from Robeson county, they

having presented certificates of election from the sheriff of that county, as required by the statute.

Messrs. Duncan Sinclair and C. A. McEachin were accordingly sworn in by his Honor, Judge Settle, as members of the Convention.

The following delegates then re-appeared; presented their certificates of election; and, the objections being withdrawn, were duly qualified as provided in the act of Assembly.

From the county of

Surry—Joseph Dobson.

Wake—R. C. Badger.

Washington—J. M. Bateman.

Wilkes—T. J. Dula and J. Q. A. Bryan.

Yadkin—B. F. Jones.

The Chair announced that nominations for President of the Convention were now in order.

Mr. Albertson nominated Oliver H. Dockery, of Richmond county.

Mr. Reid nominated Edward Ransom, of the county of Tyrrell.

The roll was called, and the following delegates voted for Mr. Ransom:

Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

The following delegates voted for Mr. Dockery:

Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock,

Buxton, Bryan, Carey, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox Woodfin and Young—58.

Mr. Dockery voted for Mr. Wheeler.

Mr. Ransom voted for Mr. Reid.

The result was announced, and the Chair declared that there was no election, as sixty votes, that is a majority of the whole number voting, were required to elect ; and ordered another vote to be taken.

The Clerk called the roll, with the following result :

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singletary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—58.

Mr. Dockery voted for Mr. Wheeler.

Mr. Ransom voted for Mr. Reid.

The Chair announced the result, and declared that there was no election.

Mr. Ransom moved that the Convention do now adjourn until 10 A. M. to-morrow.

The motion prevailed, and the Convention stood adjourned until to-morrow at 10 A. M.

SECOND DAY.

TUESDAY, September 7, 1875.

The Convention assembled at 10 A. M., pursuant to adjournment, and was called to order by Associate Justice Settle.

On motion of Mr. Reid, the roll was called, and the following delegates responded to their names :

Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bate-
man, Bean, Bell, Bennett, Bingham, Black, Bliven, Blocker,
Bowman, Boyd, Bullock, Bunn, Buxton, Bryan, Byrd, Cary,
Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell,
Crosby, Cunningham, Davis, Dixon, Dobson, Dockery, Dula,
Durham, Everett, Fairecloth, Faison, Farrior, French, George,
Goodwin, Grantham, Green, Hampton, Harrington, Hassel,
Henderson, Hianant, Hodge, Hoffman, Holton, Horton,
Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Justice,
Kerr, King of Lenoir, King of Pitt, Kirby, Lehman, Love,
Lowe, Mabson, Mannix, Manning of Chatham, Manning of
New Hanover, Marshall, Massey, McCabe, McCanless,
McCorkle, McDonald, McEachin, Morehead, Motz, Munden,

Neal, Nicholson, Nowell, O'Hara, Page, Price, Ransom, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Stallings, Strowd, Summers, Taylor, Thorne, Tourgee, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers, Woodfin and Young—119.

On motion of Mr. Tourgee, the Chair appointed John H. Hill and John A. McDonald temporary doorkeepers.

The Chair announced that the election of a President of the Convention was still in order; and there being no other nominations, the Chair ordered the roll to be called, which was done with the following result:

The delegates who voted for Mr. Ransom were:

Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobsen, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones, of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

Those who voted for Mr. Dockery were:

Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—58.

Mr. Dockery voted for Mr. Wheeler.

Mr. Ransom voted for Mr. Reid.

The Chair announced that there was no election; and ordered the roll to be called again.

The vote resulted as follows:

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabsen, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—57.

Mr. Dockery voted for Mr. Wheeler.

Mr. Ransom voted for Mr. Reid.

Mr. Wilcox voted for Mr. Reid.

The Chair declared there was no election, and ordered another vote to be taken. This vote resulted as follows:

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Cald

well, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singletary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Fairecloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—57.

Messrs. Ransom and Wilcox voted for Mr. Reid, and Mr. Dockery for Mr. Wilcox.

There being no election, the roll was called the sixth time, with the following result :

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singletary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Fairecloth, French, Goodwin, Grantham, Hampton, Hinnant, Hoffman, Holton, Horton, Jones of Yadkin,

Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—54.

Messrs. Badger, Hodge, O'Hara and Dockery voted for Mr. Wilcox.

Messrs. Ransom and Wilcox voted for Mr. Reid.

There being no election, the vote was again taken, with the following result :

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—57.

Messrs. Ransom and Wilcox voted for Mr. Reid.

Mr. Dockery voted for Mr. Wilcox.

The Chair declared that there was no election.

The Chair then announced a recess of thirty minutes, and the Convention took a recess.

At the expiration of thirty minutes, the Convention re-assembled, and was called to order by his Honor, Associate Justice Settle.

There being no election, the eighth vote was taken, with the following result :

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrier, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Chamberlain, Crosby, Davis, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Herton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCannless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—53.

Mr. Boyd voted for Mr. Bennett.

Mr. Cary voted for Mr. Tourgee.

Mr. Dixon voted for Mr. Badger.

Messrs. Dockery and Barringer voted for Mr. Wilcox, and Messrs. Wilcox and Ransom for Mr. Reid.

There being no election, the ninth vote was taken, with the following result :

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of

Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers--59.

FOR MR. DOCKERY—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faireloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Manix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—54.

Messrs. Ransom and Wilcox voted for Mr. Reid; Mr. Dockery voted for Mr. Wilcox; Mr. Boyd for Mr. Bennett; Mr. Dixon for Mr. Badger; Mr. Jones of Yadkin for Mr. Wheeler.

There was no election, and the tenth vote was taken, with the following result:

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durnam, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd,

Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Barringer, Barrow, Bateman, Bean, Bell, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Smythe, Taylor, Thorne, Tourgee and Young—51.

Mr. Black voted for Mr. Badger; Mr. Scott, of Jones, for Mr. Scott, of Onslow; Mr. Wilcox for Mr. Jarvis; Mr. Wheeler for Mr. Shober; Mr. Dockery for Mr. Bennett; Mr. Ransom for Mr. Reid; Messrs. Boyd, Badger and Woodfin for Mr. Withers.

The Chair declared that there was no election.

Mr. Dockery moved that the Convention do now adjourn until to-morrow at 10 A. M.

The yeas and nays were ordered and the Convention refused to adjourn. Yeas 35, nays 84, as follows:

YEAS—Messrs. Albertson, Badger, Barrow, Bell, Bliven, Bowman, Boyd, Bullock, Cary, Chamberlain, Davis, Dockery, Durham, Faircloth, French, Goodwin, Grantham, Harrington, Hodge, Justice, King of Lenoir, Lehman, Mabson, Mannix, Manning of New Hanover, McCabe, McDonald, Munden, Nowell, Thorne, Tourgee, Vaughan, Wilcox, Woodfin and Young—35.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Farringer, Bateman, Bean, Bennett, Bingham, Black, Blocker, Bunn, Buxton, Bryan, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Dixon, Dobson, Dula, Everett, Faison, Farrior, George, Green, Hampton, Hassel, Henderson, Hinnant, Hoffman, Holton, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Kerr, King of Pitt, Kirby, Love, Lowe, Manning of Chatham,

Marshall, Massey, McCanless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, O'Hara, Page, Price, Ransom, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Stallings, Strowd, Summers, Taylor, Turner, Watts, Wheeler, Wilson and Withers—84.

The Chair then ordered the Clerk to call the roll, and the eleventh vote was taken, with the result as follows :

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Barrow, Bateman, Bean, Bell, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, French, Goodwin, Grantham, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee and Young—48.

Mr. Ransom voted for Mr. Reid.

Messrs. Boyd and Badger for Mr. Withers.

Messrs. Barringer, Bowman and Dockery for Mr. Bennett

Mr. Black for Mr. Badger.

Mr. Hampton for Mr. Scott, of Jones.

Mr. Munden for Mr. McDonald.

Mr. Wilcox for Mr. Jones, of Caldwell.

Mr. Wheeler for Mr. Shober.

Mr. Woodfin for Mr. Durham.

The Chair declared that there was no election.

It was moved that the Convention do now adjourn until 10 A. M. to-morrow.

The motion did not prevail.

There being no election, the twelfth vote was taken, as follows:

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Black, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Fairecloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—55.

Mr. Bell voted for Mr. Albertson.

Mr. Boyd for Mr. Withers.

Mr. Wilcox for Mr. Shober.

Mr. Dockery for Mr. Bennett.

Mr. Ransom for Mr. Reid.

The Chair declared that there was no election.

Mr. Dockery moved that the Convention do now adjourn.

The motion did not prevail.

The thirteenth vote was then taken, with the following result :

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McOrkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts, of Davidson, Roberts, of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

FOR MR. DOCKERY—Messrs. Albertson, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—56.

Mr. Boyd voted for Mr. Withers.

Mr. Badger voted for Mr. Bennett.

Mr. Dockery for Mr. Durham.

Mr. Ransom for Mr. Reid.

The Chair declared that there was no election, and again ordered the roll to be called.

The fourteenth and last vote was then taken, with the following result :

FOR MR. RANSOM—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior,

George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

FOR MR. DOCKERY—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yaddin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

Mr. Dockery voted for Mr. Durham.

Pending the announcement of this vote, Mr. Ransom said:

"This balloting has gone on long enough. I have not sought this position; I do not desire it. I have cast my vote twice to defeat myself. The people seem to demand that this body be organized. I have made every effort to procure a compromise; I now cast my vote for Edward Ransom, the delegate from Tyrrell county, let the consequences be what they may."

Thereupon the Chair announced that Mr. Ransom had received sixty (60) votes, Mr. Dockery fifty-eight (58) and Mr. Durham one, and said:

"Mr. Edward Ransom having received a majority of all the votes cast, I hereby declare him elected to the Presidency of this Convention, and I appoint Messrs. Cunningham, of Person, and French, of New Hanover, to conduct the President to the chair. With this announcement my duties in this body cease."

Associate Justice Settle then vacated the chair, and it was assumed by the President.

On taking the chair the President said :

“Gentlemen of the Convention: I regret the lack of language to express my gratitude for the honor which you have seen fit to bestow upon me. I did not desire this position ; I deprecated it. I doubted my ability to properly discharge its duties. I understand the object of this Convention to be to consider and adopt such amendments to the Constitution as the delegates may deem best for the welfare of the State ; and as the presiding officer of this body, my earnest aim shall be to discharge my duties with such impartiality and fairness as may be acceptable to my fellow-members, and prove beneficial to the interests of our commonwealth.

I now declare this Convention duly organized, and ready for the transaction of business.”

On motion of Mr. Manning, of New Hanover, the Convention adjourned until to-morrow at 10 A. M.

THIRD DAY.

WEDNESDAY, September 8th, 1875.

Pursuant to adjournment, the Convention assembled at ten o'clock A. M., the President in the chair.

On motion, the Convention proceeded to complete in organization.

For Principal Secretary, Mr. Shober nominated Johnstone Jones, of Wake county.

Mr. Albertson nominated William R. Richardson, of Wake. The vote resulted as follows:

FOR MR. JONES—Mr. President, Messrs. Allison, Allman,

Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilcox, Wilson and Withers—61.

FOR MR. RICHARDSON—Messrs. Albertson, Badger, Baringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—58.

Thereupon, Mr. Jones was declared duly elected Principal Secretary of the Convention.

On motion, the Convention proceeded to the election of an Assistant Secretary.

Mr. Wheeler nominated John Shultz, of Forsythe.

Mr. Bingham nominated W. M. Hardy, of Buncombe.

The vote resulted as follows :

FOR MR. HARDY—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of

Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—60.

FOR MR. SHULTZ—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Ker, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—59.

Thereupon, Mr. Hardy was declared duly elected Assistant Secretary of the Convention.

On motion, the Convention proceeded to the election of a Principal Doorkeeper.

Mr. Rumley nominated John H. Hill, of Randolph.

Mr. Tourgee nominated Peter Hughes, of Alamance.

The vote resulted as follows :

FOR MR. HILL—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—60.

FOR MR. HUGHES—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French,

Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—59.

Thereupon Mr. Hill was declared duly elected Principal Doorkeeper of the Convention.

On motion, the Convention then proceeded to the election of an Assistant Doorkeeper.

Mr. Coleman nominated James P. Norton, of McDowell.

Mr. Badger nominated James H. Jones, of Wake.

The vote resulted as follows :

FOR MR. NORTON—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Blocker, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vanghan, Watts, Wilcox, Wilson and Withers—62.

FOR JAMES H. JONES—Messrs. Albertson, Badger, Baringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Bullock, Buxton, Bryan, Cary, Crosby, Davis, Dixon, Dockery, Faircloth, French, Goodwin, Grantham, Hampton, Hodge, Hoffmen, Jordan, Justice, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—47.

FOR PETER HUGHES—Messrs. Boyd, Dula, Hinnant, Holton, Jones of Yadkin, Kerr and Massey—7.

For John Cox, Mr. Bowman—1.

For James M. Tuttle, Mr. Chamberlain—1.

Thereupon Mr. Norton was declared duly elected Assistant Doorkeeper.

Mr. Tourgee moved that the Convention do now adjourn *sine die*.

The motion was seconded by Mr. French.

The yeas and nays being demanded, the Convention refused to adjourn.

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grant-ham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones, of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler and Young—57.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—59.

Mr. Badger presented the following ordinance :

Be it ordained by the people of North Carolina in Convention assembled, That William W. Holden be relieved of

the disqualification to hold office of honor, trust or profit, under the State of North Carolina, imposed upon him by judgment of the Senate of North Carolina, sitting as a Court of Impeachment, on the 22nd day of March, 1871, and that this ordinance take effect upon its ratification."

This ordinance was read, and on motion, placed upon the calendar.

Mr. Jarvis offered the following resolution :

"Resolved, That a committee of five be appointed by the Chair to prepare rules for the government of this Convention, and that the rules of the last Senate be adopted until the committee shall report, and that report be adopted."

Mr. Tourgee moved to amend the resolution by adding :

"Provided, There shall be no call for the previous question until after the report of the Committee on Rules."

The yeas and nays being demanded, the amendment did not prevail. Yeas 54, nays 61, as follows :

YEAS—Messrs. Albertson, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young—54.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King

of Lenoir, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers--61.

Mr. French moved to amend by adding the following :

“ That said committee be instructed to report to-morrow at 12 M., and their report be made a special order at that time.”

The amendment prevailed, and the resolution as amended was adopted.

Mr. Buxton introduced the following resolution :

“ WHEREAS, it appears from the certified copies of the returns of the judges of election in the county of Robeson, now on file, that a majority of the legal votes in said county for delegates to this Constitutional Convention were cast for R. M. Norment and Neil McNeil ; therefore,

Resolved, That said R. M. Norment and Neil McNeil are hereby declared to be the legally elected delegates from Robeson county to this Convention, and that on taking and subscribing to the oath required by the act of Assembly calling this Convention, that they be admitted as such delegates, and that the seats of Duncan Sinclair and C. A. McEachin in this Convention be and they are hereby declared vacated.”

The resolution was read and laid over under the rules.

Mr. Clingman introduced the following resolution :

Resolved, That the hour of the daily meeting of this Convention be 10 A. M., until otherwise ordered.

The resolution was adopted.

Mr. Badger moved that the principal doorkeeper be required to employ three pages to wait upon the Convention, at a price to be hereafter fixed by the Convention.

The motion prevailed.

In obedience to the resolution of the Convention, the Chair designated the following gentlemen as the Committee on Rules: Messrs. Manning of Chatham, Jarvis, Dockery, Tourgee and Shober.

Mr. Turner arose in his seat and announced the decease of the late Hon. William A. Graham, member elect to this Convention from the county of Orange, and submitted the following resolutions:

Resolved, That this Convention has heard with deep sensibility the announcement of the death of Hon. William Alexander Graham, a delegate from the county of Orange, and we deplore his death as a heavy and irreparable public misfortune; that as a mark of respect, unanimously entertained by this Convention for the memory of the deceased, and for his long, valuable and distinguished services in the public councils of the State and nation, that the members and officers of this Convention, from a sincere desire of showing every mark of respect for the memory of the deceased, do go into mourning for him for one month.

Resolved, That the President of this Convention be requested to communicate these proceedings to the widow and family of the deceased, tendering to them the sympathy of this Convention in their sore bereavement.

Resolved, That as an additional mark of respect to the memory of the deceased, the Convention do now adjourn.

Mr. Dockery moved that the further consideration of these resolutions be postponed until to-morrow at 1 P. M., and be made the special order for that hour, in order that the members of this Convention may be allowed an opportunity of paying their tribute of respect to the memory of the deceased. The motion prevailed.

On motion, the Convention adjourned until 10 A. M., to-morrow.

FOURTH DAY.

THURSDAY, September 9th, 1875.

The Convention assembled at 10 A. M., Mr. Jarvis in the chair.

The Journal of yesterday was read and approved.

Mr. Manning, of Chatham, moved that the resolution in relation to the delegates from Robeson county, be referred to the Committee on Privileges and Elections. The motion prevailed.

Mr. Manning, of Chatham, from the Committee on Rules, presented the following :

RULES OF ORDER.

I. It shall be the duty of the President of the Convention to invite the pastors of the several churches of this city and other preachers of the gospel to perform the service of prayer at the opening of the daily sessions of the Convention, which shall be at 10 A. M., unless otherwise ordered.

II. The President having taken the chair at the hour to which the Convention shall have adjourned, and a quorum being present, the Journal of the preceding day shall be read, to the end that any mistakes therein may be corrected.

III. After reading and approval of the Journal, the order of business shall be as follows :

1. The Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Introduction of Ordinances and Resolutions requiring three readings.
5. Unfinished Business of preceding day.
6. Special Orders.
7. General Orders : First, Ordinances and Resolutions on

third reading ; second, Ordinances and Resolutions on second reading.

Reports from the Committee on Revision may be received and acted on under any order of business. And all ordinances and resolutions shall be numbered in the order in which they are received, and acted upon in like order unless otherwise directed by the Convention.

IV. The President shall appoint all committees, unless otherwise ordered by the Convention.

V. He shall have the right to name any member to perform the duties of the Chair, who is hereby vested during such time with all the powers of the President, but his power as such substitute shall not continue for a longer period than two days without leave of the Convention.

VI. He shall rise to put a question, but may state it sitting. Upon a call for a division the President shall count, and shall appoint tellers if required by one-fifth of a quorum of the delegates.

VII. He shall assign to the Sergeant-at-Arms and Door-keepers their respective duties and stations.

THE RIGHTS AND DUTIES OF DELEGATES.

VIII. Every delegate presenting a paper shall indorse the same as a petition, memorial or report to the Convention, with a brief statement of its subject or contents, adding his name ; if a resolution, with his name ; if a report of a committee, a statement of such a report, with the name of the committee and member making the same ; if an ordinance, a statement of its title, with his name.

IX. All motions shall be reduced to writing if desired by the President or any delegate, delivered in at the table, and read by the President or Secretary, before the same shall be debated ; but any such motion may be withdrawn at any time before decision or amendment.

X. If any question contains several distinct propositions, it

shall be divided by the President, at the request of any delegate: *Provided*, Each sub-division, if left to itself, shall form a substantative proposition.

XI. No delegate shall speak to another, or otherwise interrupt the business of the Convention, or read any newspaper while the Journals or public papers are being read ; when the President is putting a question or a division by counting shall be had, no delegate shall walk out or across the house, nor when a delegate is speaking pass between him and the President.

XII. Every delegate wishing to speak or to debate, or to present a petition or other paper, or to make a motion or report, shall rise from his seat and address the President, and shall not proceed further until recognized by him. No delegate shall speak more than twice on the same day on the same subject without leave of the Convention ; and when two or more delegates rise at once, the President shall name the delegate who is first to speak.

XIII. Every delegate who shall be within the Hall of the House when a question is stated by the Chair, shall vote thereon, unless he shall be excused by the Convention, or unless he be directly interested in the question.

XIV. When a motion to adjourn, or for a recess, shall be affirmatively determined, no member or officer shall leave his place till the adjournment or recess shall be declared by the President.

STANDING COMMITTEES.

XV. Standing Committees shall be composed of nine delegates each except the Committee on Revision, which shall be composed of fourteen, and shall be as follows :

1. Privileges and Elections.
2. On a Preamble and Bill of Rights.
3. On the Legislative Department, its organization, &c.
4. Executive Department.

5. Judicial Department.
6. Revenue and Taxation and Public Debt.
7. Suffrage and Eligibility to Office.
8. Municipal Corporations.
9. Corporations other than Municipal.
10. Education.
11. Punishments, Penal Institutions and Public Charities.
12. Militia.
13. Amendment.
14. On Miscellaneous Subjects.
15. Committee on Revision—to consist of fourteen.

OF GENERAL ORDERS AND SPECIAL ORDERS.

XVI. The matters not referred to any committee shall be placed on the list of General Orders, and the business of the General Orders shall be taken up as follows, viz: The Secretary shall announce the title of each ordinance, with the printed number, or other matter as it shall be reached in its order, when it may be taken up on the motion of any delegate without the putting of any question therefor; but if not so moved, it shall lose its preference for the day.

XVII. Any ordinance or other matter may be made a Special Order for a particular day or hour by a vote of a majority of the delegates voting, and if it shall not be completed on that day, it shall be returned to its place in the General Orders, unless it shall be made a Special Order for another day; and when a Special Order is under consideration, it shall take precedence of any Special Order for a subsequent hour of the same day; but such subsequent Order may be taken up immediately after the previous Special Order has been disposed of.

OF ORDINANCES.

XVIII. Every ordinance shall be introduced by motion for leave or on the report of a committee.

XIX. When an ordinance shall be reported by a committee, and not otherwise disposed of, the question shall be, "Shall the report be received?" and when the report of such committee shall be received and the ordinance not otherwise disposed of, it shall be placed upon the calendar.

XX. Every ordinance shall receive three readings previous to its being passed, and the President shall give notice at each whether it be the first, second or third. After the first reading it shall be the duty of the President to refer the subject matter to an appropriate committee. No ordinance shall be amended until it shall have been twice read.

PROCEEDINGS WHEN THERE IS NOT A QUORUM VOTING.

XXI. If, on taking the final question on an ordinance or resolution, it shall appear that a constitutional quorum is not present, there shall be a call of the Convention, and if a quorum is ascertained to be present, the ordinance or resolution shall be again read and the final question taken thereon; and if the ordinance or resolution fail a second time for the want of a quorum or for the want of a necessary number being present and voting, the ordinance or resolution shall not be finally lost, but shall be returned to the calendar in its proper order.

PRECEDENCE OF MOTION.

XXII. When a question is before the Convention, no motions shall be received except those herein specified; which motions shall have precedence as follows, viz :

1. For an Adjournment.
2. For the Previous Question.
3. For a Recess.
4. To lay on the Table.
5. To Postpone Indefinitely.
6. To Postpone to a Day Certain.
7. To Commit to a Standing Committee.

8. To Commit to a Select Committee.

9. To amend.

THE PREVIOUS QUESTION.

XXIII. The previous question shall always be as follows : "Shall the main question be now put ?" and until it is decided shall preclude all debate. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the ordinance, resolution or other matter under consideration ; but when amendments are pending, the question shall be first taken upon such amendments in their order without further debate. If such question be decided in the negative, the main question shall be considered as remaining under debate.

OTHER QUESTIONS TO BE TAKEN WITHOUT DEBATE.

XXIV. The motions to adjourn and lay on the table shall be decided without debate, and the motion to adjourn shall always be in order when made by a delegate entitled to the floor.

XXV. The respective motions to postpone to a day certain, or commit, shall preclude debate on the main question.

XXVI. All questions relating to the priority of business shall be decided without debate.

XXVII. When the reading of a paper is called for, except petitions, and the same is objected to by any delegate, it shall be determined by a vote of the Convention, without debate.

XXVIII. Any delegate requesting to be excused from voting may make, either immediately before or after the vote shall have been called, and before the result shall have been announced, a brief statement of the reasons for making such request, and the question shall then be taken without debate.

DECORUM IN DEBATE.

XXIX. No remark reflecting personally upon the action of

any delegate shall be in order in debate, unless preceded by a motion or resolution of investigation or censure.

XXX. When a delegate shall be called to order, he shall take his seat until the President shall have determined whether he was in order or not; if decided to be out of order, he shall not proceed without the permission of the Convention, and every question of order shall be decided by the President, subject to an appeal to the Convention by any delegate, and if a delegate be called to order for words spoken, the exceptional words shall be immediately taken down in writing, that the President or Convention may be better enabled to judge of the matter.

MISCELLANEOUS RULES.

XXXI. When a blank is to be filled, and different sums or times shall be proposed, the question shall be first taken on the highest sum or the longest time.

XXXII. When a question has been once put and decided, it shall be in order for any delegate who shall have voted in the majority, to move a reconsideration thereof; but no motion for reconsideration shall be in order unless on the same day, or the next following legislative day on which the vote proposed to be reconsidered shall have taken place. Nor shall any question be reconsidered more than once.

XXXIII. No smoking shall be allowed within the hall during the sessions.

XXXIV. Delegates and visitors shall uncover their heads upon entering the hall while the Convention is in session, and shall continue uncovered during their continuance in the hall.

XXXV. No delegate or officer of the Convention shall depart the service of the Convention without leave, or receive pay as a delegate or officer for the time he is so absent without leave.

XXXVI. No person other than the Executive and Judicial officers of the State, members and officers of the Senate and House of Representatives, unless on invitation of the Presi-

dent, or by a vote of the Convention shall be admitted within the bar.

XXXVII. No rule of the Convention shall be altered, suspended or rescinded without a vote of a majority of all the delegates elected; and no motion to suspend shall embrace more than one rule, or relate to any other subject than the one specified in said motion.

XXXVIII. In case a less number than a quorum of the Convention shall convene, they are hereby authorized to send the Sergeant at-Arms or any other person for any or all absent delegates, as the majority of the delegates present shall determine.

XXXIX. The yeas and nays upon any question shall be taken and entered upon the Journal upon demand of one-fifth of the delegates present.

XL. No motion or resolution to adjourn *sine die* shall be in order until after 12 o'clock M., on a day succeeding the day on which it was introduced, and but one of this nature on the same day. A vote upon such motion or resolution may be demanded by any delegate.

The report was placed upon the calendar.

On motion, leave of absence was granted Mr. French until next Monday.

Mr. Durham offered a resolution requiring the Librarian to turn the keys of the House and Senate Libraries over to the Doorkeeper of the Convention during the session.

The resolution was read and adopted.

Mr. Price offered the following:

Resolved, That the Committee on Privileges and Elections be instructed to inquire whether R. C. Badger, one of the delegates from Wake, I. J. Young, one of the delegates from Granville, J. S. Mannix and R. F. Lehman, the delegates from Craven, and J. Q. A. Bryan, one of the delegates from Wilkes, are United States officers; and whether, if such be

the case, their seats in this Convention should not be declared vacant."

The resolution was read and referred to the Committee on Privileges and Elections.

Mr. Rumley moved that a committee of five be appointed to wait on the Governor and inform him that the Convention was organized, and ready to receive any communication he might be pleased to make.

The motion prevailed, and the Chair appointed Messrs. Rumley, Reid, Barringer, Lehman and Bateman.

On motion of Mr. Manning, of Chatham, the rules were suspended, and the report of the Committee on Rules was read and adopted.

On motion of Durham, the Committee on Rules were ordered to have printed 150 copies of the Rules of Order for the use of the Convention.

On motion of Mr. Albertson, the Committee on Rules were instructed to have 150 copies of the act of the General Assembly of 1874-75, by authority of which this Convention had assembled, printed and bound in the same book with the Rules of Order.

Mr. Avery offered a resolution of instruction to the Librarian, requiring him to furnish to every delegate a copy of Battle's Revisal, for use during the session.

The resolution was read and adopted.

On motion of Mr. Durham, Peter Hughes, of Alamance, was by acclamation declared second Assistant Doorkeeper of the Convention.

Mr. Young offered the following:

"*Resolved*, That the Committee on Privileges and Elections be instructed to inquire whether James Rumley, delegate from Carteret, is not Superior Court Clerk of that county; and whether E. L. Vaughan, delegate from Alleghany county, is not sheriff of that county; and whether Joseph Dobson,

delegate from Surry county, is not Solicitor for the 8th Judicial Circuit of this State; and whether E. Everett, delegate from Swain, is not sheriff of Swain county; and whether Josiah Turner, delegate from Orange, is not Public or State Printer, and also a trustee of the University of North Carolina; and should they find that the above named delegates hold said offices, becoming thereby State officers, whether they are eligible as members of this body."

The resolution was read and referred to the Committee on Privileges and Elections.

Mr. Barrow moved that the resolutions on the late Hon. William Alexander Graham, which were introduced yesterday by the delegate from Orange, and made the special order for to-day at 1 P. M., be taken from the calendar and placed on their adoption.

The motion prevailed.

The resolutions were read.

After the delivery of eulogies upon the character and life of the deceased by Messrs. Dockery, Clingman, O'Hara, Smythe, Buxton, Tourgee, Crosby, Thorne and Robbins, on motion of Mr. Tourgee, the resolutions were unanimously adopted by a silent and rising vote.

Thereupon, in obedience to the resolutions, and as a tribute of respect to the memory of the deceased, the Convention adjourned until 10 A. M. to-morrow.

FIFTH DAY.

FRIDAY, September 10, 1875.

The Convention assembled at 10 A. M., the President in the Chair.

Mr. Rumley, from the committee appointed to wait upon His Excellency, the Governor of the State, reported that the committee had discharged its duty ; and presented a communication from His Excellency, which was read to the Convention.

Mr. Badger asked and obtained leave of absence for Mr. Barringer until Monday.

The President announced the following Standing Committees:

On the Judicial Department—Messrs. Bennett, Shepherd, Albertson, Coleman, Barringer, Manning, Lehman, Green and Faircloth.

On Revenue, Taxation and the Public Debt—Messrs. Durham, Stallings, Hoffman, Cowell, Dixon, Dobson, Dula, Cooper and Page.

On Suffrage and Eligibility to Office—Messrs. Shober, Jarvis, Bateman, Allison, Holton, Strowd, Woodfin, Roberts, of Davidson, and Cary.

On Municipal Corporations—Messrs. Shepherd, Hampton, Henderson, Hinnant, McEachin, Jones, of Yadkin, Farrior, Black and McCorkle.

On Corporations other than Municipal—Messrs. Jones, of Caldwell, Faison, Mabson, Durham, Mannix, Marshall, Bryan, Byrd and Dockery.

On Education—Messrs. Morehead, Badger, Anderson, of Madison, Buxton, King, of Pitt, Rumley, Boyd, Scott, of Onslow, and Wheeler.

On Punishments, Penal Institutions and Public Charities—Messrs. Coleman, Anderson, of Clay, Bell, Sinclair, Horton, Spake, Grantham, Hodge and Bingham.

On Militia—Messrs. Barringer, Redwine, Neal, Nowell, Wilson, Bullock, Everett, Davis and Harrington.

On Amendments—Messrs. Manning, of New Hanover, Clingman, Watts, Thorne, Love, Lowe, Goodwin, Smythe and Tourgee.

On Miscellaneous Provisions—Messrs. Albertson, Crosby,

Young, Green, Singeltary, Scott, of Jones, O'Hara, Summers and McDonald.

On Revision—Messrs. Reid, Clingman, Manning, of Chat-ham, Bennett, Turner, Durham, Morehead, Shober, McCorkle, Dockery, Coleman, Barringer, Tourgee and Albertson.

On Contingent Expenses—Messrs. Morehead, Lehman and Price.

On Enrolled Bills—Messrs. Roberts, of Gates, McCabe, Rumley, Scott, of Onslow, Singeltary, Spake, Cunningham, Wheeler and Dula.

The following ordinances and resolutions were introduced, read and passed the first time, and referred to the Committee on the Judicial Department :

By Mr. Price: An ordinance to amend section 8 of the 4th article of the Constitution, reducing the number of Supreme Court Justices to three ;

An ordinance to amend article 4 of the Constitution ;

An ordinance to amend section 14, article 4, of the Constitution, providing for a system of rotation for the Superior Court Judges.

By Mr. George: An ordinance to amend article 4 of the Constitution.

By Mr. Jarvis: An ordinance to amend section 14, of article 4, of the Constitution.

By Mr. Summers: An ordinance to amend article 4, section 12, of the Constitution of North Carolina.

By Mr. Spake: An ordinance concerning the number of Supreme Court Judges.

By Mr. Allman: An ordinance in relation to Judges and jurisdiction of Courts in certain cases.

By Mr. Avery: An ordinance to amend article 4 of the Constitution of North Carolina.

By Mr. Shepherd: An ordinance providing for the election of Judges of the General Assembly.

By Mr. Robbins: An ordinance to amend section 12 of the

4th article, reducing the number of Superior Court Judges to eight.

By Mr. Turner: An ordinance respecting the Supreme and Superior Courts.

By Mr. Nicholson: An ordinance to amend article 4, section 8, of the Constitution.

By Mr. Cooper: An ordinance amending certain sections of article 4 of the Constitution.

By Mr. Henderson: An ordinance concerning the election of Judges;

An ordinance concerning the number of Judges.

And the following ordinances and resolutions were introduced, read and passed the first time, and referred or otherwise disposed of, as follows:

By Mr. Robbins: An ordinance to amend section 1, of the 7th article of the Constitution, reducing the number of county commissioners to three. To the Committee on Municipal Corporations.

By Mr. Avery: An ordinance to amend section 10, article 11 of the Constitution. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. Stallings: An ordinance to amend article 11, section 1, of the Constitution. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. Singeltary: An ordinance to amend article 11, section 1, of the Constitution, with regard to punishments for crime. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. Henderson: An ordinance concerning pardoning power in cases of impeachment. To the Committee on the Executive Department;

An ordinance concerning terms of office of certain officers. To the Committee on the Executive Department.

By Mr. Manning, of Chatham: An ordinance to amend section 15, article 2, of the Constitution of North Carolina. To the Committee on the Executive Department.

An ordinance to amend section 29, article 2, of the Constitution of North Carolina. To the Committee on the Executive Department.

An ordinance to alter section 1, article 3, of the Constitution of North Carolina. To the Committee on the Executive Department.

An ordinance to alter section 2, article 3, of the Constitution of North Carolina. To the Committee on the Executive Department.

An ordinance to alter section 10, article 3, of the Constitution of North Carolina. To the Committee on the Executive Department.

By Mr. Roberts: An ordinance relating to the term of office of the Governor. To the Committee on the Executive Department.

An ordinance relating to the Governor's occupying the Executive mansion. To the Committee on the Executive Department.

By Mr. Manning, of Chatham: An ordinance to rescind section 37, article 1, of the Constitution of North Carolina. To the Committee on a Preamble and Bill of Rights.

By Mr. Henderson: An ordinance to amend article 1, section 21, of the Constitution. To the Committee on a Preamble and Bill of Rights.

By Mr. Avery: An ordinance to amend section 37, article 1, of the Constitution. To the Committee on a Preamble and Bill of Rights.

By Mr. Stallings: An ordinance to amend article 6, section 1, of the Constitution of North Carolina. To the Committee on Suffrage and Eligibility to office.

By Mr. Henderson: An ordinance to amend article 6, section 1, of the Constitution. To the Committee on Suffrage and Eligibility to office.

By Mr. Singeltary: An ordinance to amend the Constitution so as to require a residence of six months in a county as

a qualification for suffrage. To the Committee on Suffrage and Eligibility to office.

By Mr. Shepherd: An ordinance prohibiting any one who has been convicted of an infamous offence from holding office, or acting as juror. To the Committee on Suffrage and Eligibility to office.

By Mr. Page: A resolution concerning the Convention printing. To the Committee on Miscellaneous Provisions.

By Mr. Henderson: An ordinance to correct an error in article 8 of the Constitution. To the Committee on Revision.

By Mr. Durham: A resolution with reference to the compromise of the public debt. To the Committee on Revenue, Taxation and the Public Debt.

By Mr. Cooper: An ordinance to amend article 7, section 1, of the Constitution. To the Committee on Education.

An ordinance to amend article 7 of the Constitution. To the Committee on Education.

By Mr. Henderson: An ordinance to amend article 14, section 4, of the Constitution. To the Committee on Education.

By Mr. Price: An ordinance to amend section 3, of the 9th article of the Constitution, providing for separate schools for the white and colored races. To the Committee on Education.

By Mr. Robbins: An ordinance to amend section 3, of the 9th article of the Constitution, providing for separate schools for the white and colored races. To the Committee on Education.

By Mr. Shepherd: An ordinance concerning civil rights and social equality in North Carolina. To the Committee on the Legislative Department.

By Mr. Allman: An ordinance concerning pay of members of the General Assembly, and concerning county government and penitentiary convicts. To the Committee on the Legislative Department.

By Mr. Bingham: An ordinance to regulate the *per diem*

and mileage of members of the General Assembly. To the Committee on the Legislative Department.

By Mr. Durham: A resolution upon the Legislative Department. To the Committee on the Legislative Department.

By Mr. Henderson: An ordinance concerning the pay of the members of the Legislature. To the Committee on the Legislative Department.

By Mr. Vaughan: An ordinance to abolish the Senate of North Carolina. To the Committee on the Legislative Department.

By Mr. Robbins: An ordinance to amend section 14, article 2, of the Constitution, abolishing private legislation. To the Committee on the Legislative Department;

An ordinance to amend article 2 of the Constitution, fixing the pay of members of the General Assembly. To the Committee on the Legislative Department.

On motion of Mr. Badger, the ordinance for the removal of the disabilities of William W. Holden was taken from the calendar and referred to the Committee on the Judicial Department.

Mr. Tourgee introduced a resolution instructing the Committee on Privileges and Elections to consider and report on the contest for a seat as delegate from Surry.

Mr. Tourgee moved that the rules be suspended and the resolution be placed upon its adoption.

The yeas and nays being demanded, the motion did not prevail; yeas 57, nays 57, as follows:

YEAS—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Manix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones,

Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—57.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—57.

Mr. Allison was paired off with Mr. Barringer.

Mr. Tourgee presented depositions in the matter of contest as to the right of Joseph Dobson, Esq., to a seat in the Convention.

On motion of Mr. Manning, of Chatham, the papers were referred to the Committee on Privileges and Elections.

Mr. Crosby introduced a resolution in regard to the purchase of stationery.

Mr. Badger moved to suspend the rules and place the resolution upon its adoption.

The motion prevailed.

Mr. Durham offered an amendment, in the nature of a substitute, proposing to authorize the President of the Convention to draw on the Treasurer for such sums as may be necessary in the expenditure for stationery, &c., for the Convention, and to appoint a committee of three on contingent expenses.

Mr. Bennett proposed an amendment to the substitute offered by Mr. Durham, authorizing the President to make requisition on the Secretary of State for stationery to be delivered to the Sergeant-at-Arms.

The amendment prevailed.

Mr. Boyd proposed to amend the substitute by requiring the Sergeant-at-Arms to have printed on the head of all paper, and

on the backs of all envelopes the words "Constitutional Convention of the State of North Carolina."

The amendment prevailed.

The question recurred upon the adoption of the substitute, as amended, and it was adopted.

The resolution, as amended by the substitute, was then adopted.

On motion of Mr. Bennett, it was ordered that the list of standing committees be printed and placed upon the committee boards in lobbies.

Mr. Shober moved that the Convention proceed to the election of an Enrolling Clerk and an Assistant Enrolling Clerk.

The motion prevailed.

The Chair appointed Messrs. Tourgee and Price to superintend the election.

Mr. Durham nominated Samuel C. Herren, of Haywood county, to be Enrolling Clerk of the Convention; and Mr. Crosby nominated William R. Richardson, of Wake county.

The vote was taken.

The following delegates voted for Mr. Herren :

Mr. President, Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Boyd, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers—60.

The following delegates voted for Mr. Richardson :

Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, Goodwin, Grantham, Hampton, Hinnant, Hodge,

Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—56.

Mr. Allison paired with Mr. Barringer.

Thereupon Mr. Herren was declared duly elected Enrolling Clerk of the Convention.

Mr. Reid then nominated Maurice Q. Waddell, of Chatham, to be Assistant Enrolling Clerk.

Mr. Smythe nominated J. J. Sawyer, of Wake.

The following delegates voted for Mr. Waddell :

Mr. President, Messrs. Albertson, Allman, Anderson of Clay, Anderson of Madison, Avery, Bean, Bennett, Bingham, Bowman, Bunn, Buxton, Byrd, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Davis, Dobson, Durham, Everett, Fairecloth, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, Justice, King of Pitt, Kirby, Love, Lowe, Mabson, Manning of Chatham, Marshall, McCabe, McCanless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Taylor, Thorne, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers, Woodfin and Young—77.

The following delegates voted for Mr. Sawyer :

Messrs. Badger, Barrow, Bell, Black, Bliven, Bullock, Bryan, Cary, Crosby, Dixon, Dockery, Goodwin, Grantham, Hodge, Hoffman, Jordan, King of Lenoir, Lehman, Mannix, Manning of New Hanover, Munden, Nowell, O'Hara, Page, Smythe and Tourgee—26.

Mr. Allison paired with Mr. Barringer.

Messrs. Hampton, Holton and Horton voted for Mr. Bailey.

Messrs. Boyd, Hinnant and Massey, voted for Mr. Gilbert.

Messrs. Dula and Jones of Yadkin, voted for Mr. Porter.

Mr. Waddell having received a majority of all the votes cast, was declared duly elected.

Leave of absence was granted Mr. Strowd until next Tuesday morning.

Mr. Price offered a resolution of instruction to the Committee on Privileges and Elections to consider the case of J. E. O'Hara, a delegate from Halifax.

The resolution was read and laid over under the rules.

Mr. Page offered a resolution to have all ordinances for amending the Constitution printed and laid upon the desks of the delegates. Read and laid over under the rules.

Mr. Badger offered a resolution in relation to the burial expenses of the late Hon. William Alexander Graham. Laid over under the rules.

Mr. Young offered a resolution to adjourn *sine die*. Laid over under the rules.

On motion, the Convention adjourned until to-morrow at 10 A. M.

SIXTH DAY.

SATURDAY, September 11, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer by Rev. C. B. Hassell.

The Journal of yesterday was read and approved.

Mr. Clingman, from the Committee on the Legislative Department, made a report, which was ordered to be printed and placed on the calendar.

Mr. Morehead, from the Committee on Education, submitted the following reports:

R. No. 31. Resolution to amend article 7 of the Constitu-

tion, with a recommendation that it be referred to the Committee on Municipal Corporations. The resolution was so referred.

R. No. 32. Resolution to amend article 7, section 1, of the Constitution, with a recommendation that it be referred to the Committee on Municipal Corporations. The resolution was so referred.

R. No. 30. Resolution to amend article 9, section 4 of the Constitution, with a recommendation that it do not pass.

The following ordinances and resolutions were introduced read and passed the first time, and were referred or otherwise disposed of as follows:

By Mr. Anderson, of Madison: A resolution in reference to townships. To the Committee on Municipal Corporations.

By Mr. Manning, of Chatham: A resolution to alter section 2, article 5, of the Constitution of North Carolina. To the Committee on Revenue, Taxation and the Public Debt;

A resolution to alter section 14, article 4, of the Constitution of North Carolina. To the Committee on the Judicial Department;

A resolution to abrogate sections 15, 16 and 17 of the Constitution of North Carolina. To the Committee on the Judicial Department.

A resolution to alter section 12, article 4, of the Constitution of North Carolina. To the Committee on the Judicial Department;

A resolution to abrogate and amend section 19, article 4, of the Constitution of North Carolina. To the Committee on the Judicial Department;

An ordinance to alter section 2, article 4, of the Constitution of North Carolina. To the Committee on the Judicial Department;

An ordinance to alter section 13, article 3, of the Constitution of North Carolina. To the Committee on the Judicial Department;

An ordinance to alter section 6, article 4, of the Constitution.

of North Carolina. To the Committee on the Judicial Department;

An ordinance to alter section 26, article 4, of the Constitution of North Carolina. To the Committee on the Judicial Department;

An ordinance to alter section 29, article 2, of the Constitution of North Carolina. To the Committee on the Judicial Department.

By Mr. Price: An ordinance to amend section 1 of the sixth article of the Constitution, providing for a residence of six months in a county for exercise of right of suffrage. To the Committee on Suffrage and Eligibility to Office;

An ordinance to amend article eleven of the Constitution in relation to punishments. To the Committee on Punishments, Penal Institutions and Public Charities;

An ordinance to amend section 31 of the 4th article of the Constitution, providing for filling vacancies. To the Committee on the Executive Department;

A resolution of instruction to the Committee on the Executive Department to report an amendment to abolish the office of Lieutenant Governor. To the Committee on the Executive Department.

By Mr. Vaughan: An ordinance to amend section 24 of article 1 of the Constitution, relating to right of the people to keep and bear arms. To the Committee on a Preamble and Bill of Rights;

An ordinance to amend the 5th section of the first article of the Constitution of North Carolina, relating to the allegiance of the people of this State. To the Committee on a Preamble and Bill of Rights.

By Mr. George: An ordinance to amend article 1, of the Constitution. To the Committee on a Preamble and Bill of Rights.

By Mr. Withers: An ordinance to amend section 6, article 10, of the Constitution, prohibiting intermarriage of the races. To the Committee on Miscellaneous Provisions.

By Mr. Anderson, of Clay : An ordinance to revise article 3, section 1, Constitution of North Carolina. To the Committee on the Executive Department.

By Mr. Scott, of Onslow : An ordinance to amend the 11th article of the Constitution. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. Roberts : An ordinance to amend section 2, of the 6th article of the Constitution, requiring payment of poll tax for preceding year before voting. To the Committee on Suffrage and Eligibility to office.

An ordinance to amend section 10, of the 11th article, providing for support of deaf, dumb and insane, &c. To the Committee on Punishments, Penal Institutions and Public Charities.

An ordinance to amend section 1, of the 8th article of the Constitution. To the Committee on Corporations other than Municipal.

By Mr. Cowell : An ordinance to amend section 1, article 4, of the Constitution. To the Committee on Suffrage and Eligibility to office.

By Mr. Kirby : An ordinance to amend section 1, article 6, of the Constitution. To the Committee on Suffrage and Eligibility to office.

By Mr. Hassell : An ordinance to abrogate and annul section 33, article 3, of the Constitution. To the Committee on the Judicial Department ;

An ordinance to abolish the township system and to establish the Court of Quarter Sessions. To the Committee on the Judicial Department.

By Mr. Wheeler : An ordinance to amend article 13, section 2, of the Constitution, to provide that no Convention shall be called until the question shall have been submitted to and received the sanction of a majority of the qualified voters of the State. To the Committee on Amendments.

An ordinance to make the homestead a fee simple. To the Committee on the Judicial Department.

A resolution of instruction to the Committee on Privileges and Elections. To the Committee on Privileges and Elections.

By Mr. Robbins: An ordinance to amend section 4, of the 8th article of the Constitution, relative to city and town governments. To the Committee on Corporations other than Municipal.

An ordinance to amend article 4, of the Constitution. To the Committee on the Judicial Department.

By Mr. Bunn: An ordinance to alter section 1, of article 6th, of the Constitution of North Carolina. To the Committee on Suffrage and Eligibility to office.

An ordinance to strike out the 11th article of the Constitution. To the Committee on Punishments, Penal Institutions and Public Charities.

An ordinance to alter section 4, of article 4, of the Constitution of North Carolina. To the Committee on the Judicial Department.

By Mr. Henderson: An ordinance to amend article 6, section 1, of the Constitution, requiring the payment of taxes as a qualification for voting. To the Committee on Suffrage and Eligibility to office;

An ordinance to amend article 13, section 1, of the Constitution, in reference to the mode of calling a Convention of the people. To the Committee on Amendments;

An ordinance to amend article 3, section 1, of the Constitution. To the Committee on the Executive Department;

An ordinance to amend article 14, section 5, in reference to appointments to office. To the Committee on Miscellaneous Provisions;

An ordinance to amend article 2, section 29, of the Constitution. To the Committee on the Legislative Department;

An ordinance to amend article 2, of section 27, of the Constitution. To the Committee on the Legislative Department;

An ordinance to strike out of the Constitution sections 4

and 8, of article 2 thereof. To the Committee on the Legislative Department.

By Mr. Durham: An ordinance proposing to strike out section 9, of article 4, of the Constitution. To the Committee on the Judicial Department.

An ordinance proposing to amend section 9, article 3, of the Constitution. To the Committee on the Legislative Department.

By Mr. Bennett: An ordinance to amend article 5, of the Constitution. To the Committee on Revenue, Taxation and the Public Debt.

An ordinance to amend article 5, of the Constitution. To the Committee on Revenue, Taxation and the Public Debt.

By Mr. Reid: An ordinance concerning the common highways of the State. To the Committee on Revenue, Taxation and the Public Debt.

By Mr. Marshall: An ordinance requiring prepayment of poll tax as a condition to voting. To the Committee on Suffrage and Eligibility to Office.

By Mr. Allison: An ordinance to amend section 1, article 6, of the Constitution. To the Committee on Suffrage and Eligibility to Office.

By Mr. Avery: An ordinance to amend article 5 of the Constitution, providing for exemption from taxation of certain property. To the Committee on Revenue, Taxation and the Public Debt.

By Mr. Singeltary: An ordinance providing for the election of an equal number of magistrates by the Legislature as are and shall continue to be elected by the people; these magistrates to elect three of their number for county commissioners. Placed on the calendar.

By Mr. Summers: An ordinance to amend section 1, article 14, of the Constitution of North Carolina. To the Committee on Punishments, Penal Institutions and Public Charities.

An ordinance to amend article 9, section 4, of the Constitution. To the Committee on Education.

An ordinance to amend article 3, section 1, of the Constitution of North Carolina, abolishing the office of Attorney General. To the Committee on the Executive Department.

An ordinance to amend section 2, article 2, of the Constitution of North Carolina. To the Committee on the Legislative Department.

By Mr. Nicholson: An ordinance to amend article 11, section 9, of the Constitution of North Carolina. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. Cooper: An ordinance to amend section 16, article 4, of the Constitution. To the Committee on the Judicial Department.

The consideration of General Orders being in order, the Convention proceeded to consider Resolution 18, R. instructing the Committee on Privileges and Elections to consider and report on the contest for a seat as delegate from Surry.

The resolution was read.

Mr. Durham offered an amendment, striking out the words "and appoint a hearing upon the same within three days."

The amendment prevailed.

The resolution, as amended, was then adopted.

The Convention then proceeded to the consideration of Resolution 59, R. to print the Ordinances to amend the Constitution.

The resolution was read, and, on motion of Mr. Durham, laid upon the table.

Resolution 58, R. of instruction to the Committee on Privileges and Elections to consider the case of J. E. O'Hara, was next taken up and read.

Mr. Tourgee moved to amend by striking out the words "four days."

The amendment prevailed, and the resolution was adopted.

The Convention then proceeded to the consideration of resolution 57, R. to adjourn *sine die*.

The resolution was read.

Mr. Cunningham moved to lay the resolution upon the table.

On demand, the yeas and nays were ordered, and the motion to table prevailed, yeas 57, nays 55, as follows:

YEAS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Olingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Metz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts, Wilson and Withers—57.

NAYS—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—55.

Mr. Allison was paired with Mr. Barringer; Mr. Chamberlain with Mr. Ransom; Mr. Strowd with Mr. Smythe.

Mr. Buxton offered a resolution of instruction to the Committee on Privileges and Elections, in relation to the Robeson county case.

The resolution was read and placed on the calendar.

On motion, the rules were suspended, and the resolution taken up.

Mr. Turner offered to amend by including the delegate from Cumberland, Mr. Buxton.

The amendment prevailed, and the resolution was adopted.

Mr. O'Hara introduced a resolution to adjourn *sine die*. Placed on the calendar, and laid over under the rules.

Mr. Morehead moved that R. No. 30: Resolution to amend article 9, section 4 of the Constitution, be taken from the calendar and considered.

The motion prevailed.

Mr. Morehead then moved that the resolution be laid upon the table.

The motion to table prevailed.

On motion, the Convention adjourned until 10 A. M., Monday.

SEVENTH DAY.

MONDAY, September 13th, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. John N. Stallings.

The Journal of Saturday was read and approved.

Leaves of absence were granted as follows:

To Mr. Fairecloth until Monday next.

To Mr. Mannix until Thursday.

To Mr. King, of Lenoir, three days of the present week.

The following ordinances and resolutions were introduced, read and passed the first time, and referred or otherwise disposed of as follows:

By Mr. Byrd: Resolution in reference to the Clerk of the Superior Court. To the Committee on the Judicial Department;

Resolution to alter article 4, section 29, of the Constitution in reference to Solicitors of Judicial Districts.

Resolution to alter article 4, section 26, of the Constitution

in reference to Judges of the Superior Courts. To the Committee on the Judicial Department.

By Mr. Cooper: An ordinance to amend sections 1 and 2, article 5 of the Constitution. To the Committee on the Judicial Department.

By Mr. Anderson, of Clay: An ordinance for farming out or otherwise employing all convicts who are now or may hereafter be sentenced to the Penitentiary. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. McCorkle: An ordinance in relation to Municipal Corporations. To the Committee on Municipal Corporations.

By Mr. Spake: An ordinance to amend article 14, of the Constitution of North Carolina. To the Committee on Suffrage and Eligibility to office.

By Mr. Durham: Resolution declaring that article 7 of the Constitution ought to be abrogated. To the Committee on Municipal Corporations.

By Mr. Price: Resolution requiring the Committee on Privileges and Elections to enquire into the eligibility of the contestants from the county of Robeson to seats in this Convention. Laid over under the rules.

By Mr. Morehead: An ordinance to amend section 10, article 11, of the Constitution, in relation to blind, deaf and insane persons. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. Allison: An ordinance to amend section 10, article 11 of the Constitution of North Carolina. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. Goodwin: Resolution on *sine die* adjournment. Laid over under the rules.

By Mr. Avery: Resolution in relation to amending section 2, article 13, of the Constitution. To the Committee on Amendments.

An ordinance to amend article 4, of the Constitution. To the Committee on the Judicial Department.

By Mr. Dockery: Resolution of instruction to the Com-

mittee on Privileges and Elections relative to Josiah Turner. Laid over under the rules.

By Mr. Henderson: An ordinance to amend article 8, of the Constitution, prohibiting the granting of free passes to members of the General Assembly, and other officers. To the Committee on Corporations other than Municipal.

An ordinance to amend article 2 of the Constitution, changing the time of meeting of the General Assembly, &c. To the Committee on the Legislative Department.

An ordinance to amend article 2 of the Constitution, providing for special legislation. To the Committee on the Legislative Department.

An ordinance to amend article 6, of the Constitution, providing that no person, while kept at any poor house, &c., shall be entitled to vote. To the Committee on Suffrage and Eligibility to office.

An ordinance to amend article 9, of the Constitution, providing for separate public free schools for the education of children of African descent. To the Committee on Education.

An ordinance to amend article 9, of the Constitution, providing for the preservation and investment of the Public School Fund. To the Committee on Education.

Mr. Avery offered a resolution to amend the Rules of Order; and moved that it be referred to a Committee of three.

A division was called for, and the motion prevailed, fifty-six voting in the affirmative and fifty in the negative.

The Chair designated Messrs. Avery, Robbins and Young as the special committee proposed in the resolution.

Mr. Tourgee offered a resolution in regard to the reports of standing committees. Placed on the calendar.

Mr. Clingman, from the Committee on the Legislative Department, submitted an additional part to the report submitted by him on Saturday. Placed on the calendar.

The Chair designated Messrs. Roberts, of Gates, McCabe,

Rumley, Scott of Onslow, Singeltary, Spake, Cunningham and Dula, as the Committee on Enrolled Bills ;

And Messrs. Morehead, Lehman and Price as the Committee on Contingent Expenses.

The consideration of general orders being in order, R. No. 65 : Resolution providing for the election of an equal number of magistrates by the Legislature as are and shall continue to be elected by the people, these magistrates to elect three of their number for county commissioners, was taken up, and, on motion of Mr. Singeltary, was referred to the Committee on Municipal Corporations.

On motion of Mr. Durham, the Convention adjourned until to-morrow at 10 A. M.

EIGHTH DAY.

TUESDAY, September 14, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Mr. Spake.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Dixon until Monday next.

Mr. Durham moved a suspension of the rules, in order to consider an amendment to the rules of order, changing the hour of meeting from 10 A. M. to 11 A. M.

The motion did not prevail.

On motion of Mr. Bennett, it was ordered that all favorable reports from standing committees be printed.

Reports from Standing Committees were submitted, as follows :

From the Committee on the Judicial Department :

By Mr. Bennett, R. No. 118: Resolution to alter section 2, article 4, of the Constitution of North Carolina, with accompanying amendment. Placed on the calendar.

Ordinances 13, 1 and 4; and resolutions 7, 89, 8, 12 and 16, touching section 8, article 4, of the Constitution; with an accompanying substitute. Placed on the calendar.

From the Committee on the Executive Department :

By Mr. Reid: Ordinance 111 and ordinance to amend section 31, of the 4th article of the Constitution; with the recommendation that it be referred to the Committee on the Judicial Department. It was so referred.

R. No. 48: Resolution 48, to amend section 29, article 2, of the Constitution of North Carolina; with the recommendation that it be referred to the Committee on the Legislative Department. It was so referred.

R. No 49: Resolution to amend section 15, article 2, of the Constitution of North Carolina, with a recommendation that it be referred to the Committee on the Legislative Department. It was so referred.

From the Committee on Education :

By Mr. Morehead, Ordinances Nos. 28, 29 and 144, touching section 3, of the 9th article of the Constitution; with an accompanying substitute. Placed on the calendar.

Ordinance No. 143, an ordinance to amend article 9, of the Constitution, providing for the preservation and investment of the public school funds; with a recommendation that it do not pass. Placed on the calendar.

The following ordinances and resolutions were introduced, read and passed the first time, and disposed of, as follows:

By Mr. Carter: An ordinance to amend section 31, article 4, of the Constitution of North Carolina. To the Committee on the Judicial Department.

By Mr. Kerr: An ordinance to prescribe an oath to members of the General Assembly. To the Committee on the Legislative Department.

By Mr. Rumley: An ordinance to prohibit counties, cities, towns, &c., from contracting debts. To the Committee on Municipal Corporations.

By Mr. Watts: An ordinance to reduce the number of State Senators to twenty-four. To the Committee on the Legislative Department.

By Mr. Blocker: An ordinance to amend section 1, article 13. To the Committee on Amendments.

By Mr. Badger: Resolution of instruction to the Committee on Privileges and Elections. Placed on the calendar.

By Mr. Allison: An ordinance to amend section 25, article 2, of the Constitution of North Carolina. To the Committee on the Legislative Department.

Ordinance to amend section 3, article 2, of the Constitution. To the Committee on the Legislative Department.

By Mr. Cooper: Ordinance to reduce the salaries of the executive officers of the State. To the Committee on the Executive Department.

The consideration of General Orders being in order, the Convention then proceeded to the consideration of Ordinance No. 64, in relation to the compensation of members of the General Assembly.

The ordinance was read the second time.

Mr. Manning, of Chatham, offered to amend by striking out the word "three" in the third line, and inserting the word "four."

Mr. Tourgee proposed to amend by striking out all after the word "sum" in third line, down to the word "they" in the ninth line, and inserting in lieu thereof the words, "two hundred dollars for their term of service;" also, by striking out all after the word "session" in line fourteenth: as a substitute for the amendment offered by Mr. Manning, of Chatham.

Pending its consideration, Mr. Price called the previous question.

The call being sustained, the question recurred first on the amendment to the amendment.

The yeas and nays were demanded, and the amendment did not prevail, yeas 23, nays 87, as follows:

YEAS—Messrs. Bean, Bell, Black, Bliven, Bowman, Bryan Dockery, French, Goodwin, Grantham, Hodge, Holton, Jones of Yadkin, Jordan, Mabson, Manning of New Hanover, McCabe, McCanless, McDonald, Page, Taylor, Tourgee and Wheeler—23.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bateman, Bennett, Bingham, Blocker, Boyd, Bullock Bunn, Buxton, Byrd, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Davis, Dixon, Dobson, Dula, Durham, Everett, Faison, Farrior, George, Green, Hampton, Harrington, Hassel, Henderson, Hinnant, Hoffman, Horton, Jarvis, Jones of Caldwell, Justice, Kerr, King of Pitt, Kirby, Lehman, Love, Lowe, Marshall, Massey, McCorkle, McEachin, Morehead, Munden, Neal, Nicholson, Nowell, O'Hara, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Strowd, Summers, Thorne, Turner, Vaughan, Watts, Wilcox, Wilson, Withers, Woodfin and Young—87.

Mr. Manning, of Chatham, was paired with Mr. Mannix; Mr. Motz with Mr. King, of Lenoir; and Mr. Stallings with Mr. Faircloth.

The question next recurred upon the amendment proposed by Mr. Manning, of Chatham.

The yeas and nays being demanded, the amendment did not prevail; yeas 45, nays 63, as follows:

YEAS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Barrow, Bateman, Bean, Bingham, Blocker, Bullock, Bunn, Buxton, Carter, Chamberlain, Coleman, Cooper, Cowell, Everett, French, Harrington, Hassell, Jones of Caldwell, Justice, King of Pitt, Kirby, Love, Lowe, Marshall, McCorkle, McDonald, McEachin, Neal, Nowell, Page, Roberts of Gates,

Rumley, Scott of Onslow, Shober, Singeltary, Spake, Strowd, Vaughan, Wilson, Woodfin and Young—45.

NAYS—Messrs. Anderson of Madison, Avery, Badger, Barringer, Bell, Bennett, Black, Bliven, Bowman, Boyd, Bryan, Byrd, Clingman, Crosby, Cunningham, Davis, Dixon, Dobson, Dockery, Dula, Durham, Faison, Farrior, George, Goodwin, Grantham, Green, Hampton, Henderson, Hinnant, Hodge, Hoffman, Holton, Horton, Jarvis, Jones of Yadkin, Jordan, Kerr, Lehman, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Morehead, Munden, Nicholson, O'Hara, Price, Redwine, Reid, Robbins, Roberts of Davidson, Shepherd, Sinclair, Smythe, Summers, Thorne, Tourgee, Watts, Wheeler, Wilcox and Withers—63.

The following delegates were paired off:

Messrs. Faircloth, King of Lenoir, Mannix, Manning of Chatham, Motz and Stallings.

By unanimous consent, Mr. Tourgee offered the following amendment:

“Strike out from the word ‘session’ in line 14 to, and including the word ‘session’ in line 15, and insert the words “in which case.”

The amendment was adopted.

The question recurring on the passage of the ordinance the second time, and the yeas and nays being ordered, it passed the second time, yeas 77, nays 34, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Bennett, Bingham, Blocker, Bowman, Bunn, Buxton, Bryan, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Dockery, Dula, Durham, Everett, Faison, Farrior, George, Green, Hampton, Harrington, Hassel, Henderson, Hinnant, Hoffman, Holton, Jarvis, Jones of Caldwell, Jones of Yadkin, Justice, Kerr, King of Pitt, Kirby, Love, Marshall, Massey, McCanless, McCorkle, McEachin, Morehead, Neal, Nicholson, Price, Redwine, Reid,

Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Strowd, Summers, Thorne, Turner, Vanghan, Watts, Wheeler, Wilcox, Wilson, Withers, Woodfin and Young—77.

NAYS.—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Boyd, Bullock, Cary, Chamberlain, Crosby, Davis, Dixon, French, Goodwin, Grantham, Hodge, Horton, Jordan, Lehman, Lowe, Mabson, Manning of New Hanover, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Smythe, Taylor and Tourgee—34.

The following delegates were paired off:

Messrs. Faircloth, King of Lenoir, Mannix, Manning of Chatham, Motz and Stallings.

Mr. Badger moved to suspend the rules and take from the calendar R. No. 152: A resolution of instruction to the Committee on Privileges and Elections.

The motion prevailed and the resolution was adopted.

Mr. French moved a suspension of the rules, in order to offer an amendment to the rules of order.

The motion did not prevail.

Mr. Davis introduced an ordinance to provide for the payment of the *per diem* and mileage of the officers, members and employees of the Convention.

The ordinance was read the first time and placed on the calendar.

Mr. Badger moved to suspend the rules and put the ordinance on its second reading.

The yeas and nays being demanded, the motion prevailed. Yeas 71, nays 40, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Madison, Badger, Barringer, Bean, Bennett, Black, Blocker, Bowman, Boyd, Buxton, Bryan, Clingman, Coleman, Crosby, Cunningham, Davis, Dixon, Dobson, Dockery, Dula, Durham, Everett, French, Goodwin, Grantham, Green, Hampton, Hinnant, Hoffman, Holton, Jarvis, Jones of Yadkin, Jordan, Justice, Kerr, King of Pitt, Kirby, Mabson, Manning of New Hano-

ver, Marshall, Massey, McCabe, McCanless, McDonald, McEachin, Morehead, Munden, Neal, Nicholson, O'Hara, Page, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Strowd, Summers, Taylor, Thorne, Turner, Watts, Wheeler, Wilcox, Wilson, Withers and Young—71.

NAYS—Messrs. Albertson, Anderson of Clay, Avery, Barrow, Bateman, Bell, Bingham, Bliven, Bullock, Bunn, Byrd, Cary, Carter, Chamberlain, Ceoper, Cowell, Faison, Farrior, George, Harrington, Hassell, Henderson, Hodge, Horton, Jones of Caldwell, Lehman, Love, Lowe, McCorkle, Nowell, Price, Rumley, Shober, Sinclair, Singeltary, Smythe, Spake, Tourgee, Vaughan and Wilson—40.

The following delegates were paired off: Messrs. Faircloth, King of Lenoir, Mannix, Manning of Chatham, Motz and Stallings.

Pending the consideration of this ordinance, on motion of Mr. Chamberlain, the Convention adjourned until 10 A. M. to-morrow.

NINTH DAY.

WEDNESDAY, September 15, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Mr. Woodfin, delegate from Henderson.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Smythe from last Saturday until last Tuesday.

Mr. Badger, by leave, moved that the Committee on Rules

of Order be instructed to report an ordinance providing for the authentication of all ordinances and resolutions passed by this Convention.

The motion prevailed.

Reports from standing committees were submitted as follows :

From the Committee on the Judicial Department :

By Mr. Bennett, O. No. 136 : An ordinance to amend sections 1 and 2, article 5, of the Constitution, with a recommendation that it be referred to the Committee on Revenue, Taxation and the Public Debt. The ordinance was so referred ;

O. No. 95 : An ordinance to make the homestead a fee simple, with a recommendation that it do not pass, the committee being unanimous in the opinion that the Convention is forbidden to consider, debate, adopt or propose any amendment touching the homestead ;

O. No. 129 : An ordinance to amend article 4 of the Constitution ; O. No. 9 : An ordinance to amend article 4 ; and R. No. 81 : A resolution to strike out section 9, article 4, of the Constitution, with the recommendation that they do not pass.

From the Committee on Privileges and Elections :

By Mr. Bunn, a report in obedience to R. No. 94 : A resolution of instruction to the Committee on Privileges and Elections. Placed on the calendar.

From the Committee on Education :

By Mr. Morehead, O. No. 72 : An ordinance to amend article 9, section 4, of the Constitution, with the recommendation that it do not pass.

The following ordinances and resolutions were introduced, read and passed the first time, and referred or otherwise disposed of, as follows :

By Mr. Bennett : An ordinance to restore Anson county the representation in the General Assembly of which it was deprived by the Convention of 1868. To the Committee on the Legislative Department.

By Mr. Singeltary : An ordinance for the election of solici-

tors by the Legislature, being a substitute for section 29, article 4. To the Committee on the Judicial Department.

By Mr. Anderson, of Madison: Resolution to give Justices of the Peace jurisdiction in actions of replevin. To the Committee on the Judicial Department;

An ordinance to amend article 4, section 17, of the Constitution of North Carolina. To the Committee on the Judicial Department.

By Mr. Badger: An ordinance to amend section 4, article 9, of the Constitution. To the Committee on Education.

By Mr. Jones, of Yadkin: An ordinance in regard to adjournment and *per diem*. Placed on the calendar.

By Mr. Kerr: An ordinance to amend section 10, article 1, of the Constitution. To the Committee on a Preamble and Bill of Rights.

By Mr. Turner: A resolution calling the attention of the Committee on the Judiciary to article 4, sections 15, 21, 22, 29, 30 and 33, and the defects therein contained, and proposing amendments. Placed on the calendar.

By Mr. Goodwin: An ordinance to allow the county of Halifax another member in the General Assembly under existing Constitution. To the Committee on the Legislative Department;

An ordinance relating to the *per diem* and mileage of the officers and members of this Convention. To the Select Committee.

By Mr. Mabson: An ordinance to allow the county of Edgecombe another member under the existing Constitution in the House of Representatives of North Carolina. To the Committee on the Legislative Department.

By Mr. Buxton: A resolution requiring the Committee on Privileges and Elections to report on Robeson county election without delay. Placed on the calendar.

By Mr. Stallings: An ordinance to alter and amend article 7, of the Constitution of North Carolina, entitled "Municipal Corporations." To the Committee on Municipal Corporations;

An ordinance to alter and amend article 4, of the Constitution, entitled "Judicial Department." To the Committee on the Judicial Department.

By Mr. Justice: Resolution on adjournment. Placed on the calendar.

By Mr. Shepherd: An ordinance to give the county of Pamlico a representative. To the Committee on the Legislative Department.

By Mr. Spake: An ordinance to amend section 5, article 6, of the Constitution. To the Committee on a Preamble and Bill of Rights.

By Mr. Massey: An ordinance to amend section 5, article 7, of the Constitution. To the Committee on Municipal Corporations.

By Mr. Redwine: An ordinance to amend article 4, of the Constitution. To the Committee on the Judicial Department.

By Mr. Robbins: An ordinance to amend section 7, article 11, of the Constitution. To the Committee on Punishments, Penal Institutions and Public Charities.

The consideration of the unfinished business of yesterday being in order, the Convention proceeded to the consideration of Ordinance No. 148, an ordinance to provide for the payment of the *per diem* and mileage of the officers, members and employees of this Convention.

The ordinance was read the second time.

Mr. Badger offered an amendment.

Pending its consideration, Mr. Robbins moved to lay the bill upon the table.

The motion to table prevailed.

Mr. Wilcox moved to suspend the rules and take up a resolution introduced by himself relative to the appointment of a select committee to report an ordinance on the *per diem* and mileage of members and officers of this Convention.

The motion prevailed, and the resolution was adopted.

On motion of Mr. Boyd, ordinance No. 148: An ordinance

to provide for the payment of the *per diem* and mileage of the officers, members and employees of this Convention, was referred to the select committee proposed to be raised by the resolution above mentioned.

Mr. Bowman moved to suspend the rules to take up R. No. 66: Resolution to adjourn *sine die*.

On demand, the yeas and nays were ordered, and the motion did not prevail. Yeas 55, nays 56, as follows:

YEAS.—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dockery, Dula, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—55.

NAYS.—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Strowd, Summers, Turner, Watts, Wilson and Withers—56.

Mr. Buxton moved to suspend the rules and take up R. No. 167: A resolution requiring the Committee on Privileges and Elections to report on the Robeson county election without delay.

The yeas and nays being demanded, the motion did not prevail, yeas 54, nays 55, as follows:

YEAS.—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton,

Bryan, Cary, Chamberlain, Crosby, Davis, Dockery, Dula, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—54.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Strowd, Summers, Turner, Watts, Wilson and Withers—55.

Mr. Barringer moved to reconsider the vote just had.

Mr. Manning, of Chatham, moved to lay that motion on the table.

The yeas and nays being demanded, the motion to lay on the table prevailed. Yeas 56, nays 55, as follows:

YEAS—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Strowd, Summers, Turner, Watts, Wilson and Withers—56.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis,

Dockery, Dula, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—55.

The consideration of ordinances on third reading being in order, the Convention proceeded to the consideration of O. No. 64: An ordinance in relation to the compensation of members of the General Assembly.

The bill was read the third time.

Mr. Vaughan offered to amend by striking out all of said section down to and including the word "compensation," in the ninth line, and insert the following: "The General Assembly may fix their own compensation, but in no case shall the pay of a member exceed three hundred dollars during their term of office, and mileage not."

Pending its consideration, Mr. Chamberlain moved to lay the bill on the table.

A division was called for, and the motion did not prevail.

The question recurring on the amendment offered by Mr. Vaughan, the yeas and nays were ordered, and the amendment did not prevail. Yeas 44, nays 62, as follows:

YEAS—Messrs. Albertson, Anderson of Clay, Badger, Baringer, Barrow, Bean, Bingham, Black, Bliven, Blocker, Boyd, Bullock, Buxton, Cary, Crosby, Davis, Dobson, Everett, French, Goodwin, Grantham, Hodge, Hoffman, Holton, Horton, Justice, Lowe, Mabson, Manning of New Hanover, McCabe, McDonald, Munden, Neal, Nowell, O'Hara, Spake, Taylor, Thorne, Tourgee, Vaughan, Wilcox, Wilson, Woodfin and Young—44.

NAYS—Messrs. Allison, Allman, Anderson of Madison, Avery, Bateman, Bennett, Bowman, Bunn, Bryan, Byrd, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Dockery, Durham, Faison, Farrior, George, Green,

Hampton, Harrington, Hassel, Henderson, Hinnant, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, King of Pitt, Kirby, Lehman, Love, Marshall, Massey, McCanless, McCorkle, McEachin, Morehead, Nicholson, Page, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Strowd, Summers, Turner, Watts, Wheeler and Withers—62.

Mr. Allman offered an amendment in the nature of a substitute.

Mr. Tourgee offered an amendment to this amendment.

Mr. Love moved to re-commit the bill.

The yeas and nays being demanded, the motion did not prevail, yeas 48 nays 55, as follows :

YEAS—Messrs. Albertson, Badger Barringer, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Crosby, Davis, Dockery, Dula, Goodwin, Grant-ham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Love, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, O'Hara, Page, Scott of Jones, Taylor, Thorne, Wilcox, Wilson and Young—48.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bateman, Bennett, Bingham, Bunn, Byrd, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, French, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Lehman, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Nowell, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Strowd, Summers, Turner, Watts, Wheeler, Withers and Woodfin—55.

On motion, the Convention adjourned until to morrow at 10 A. M.

TENTH DAY.

THURSDAY, September 16, 1875.

The Convention met pursuant to adjournment, at 10 A. M., the President in the chair.

Prayer was offered by Rev. M. M. Marshall.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows:

To Mr. King, of Pitt, from Saturday until Wednesday next.

To Mr. Jordan, from Saturday until Wednesday next.

To Mr. Tourgee, from to-morrow until Monday next.

The Chair designated Messrs. Wilcox, Wilson, Badger, Byrd and McCabe, as the select committee on *per diem* and mileage of the Convention.

Reports from standing committees were submitted as follows:

From the Committee on the Judicial Department:

By Mr. Bennett: Resolutions Nos. 120, 11 and 6, touching amendments to article 4, section 12, of the Constitution, with accompanying substitute.

From the Committee on the Legislative Department:

By Mr. Clingman: A report recommending certain amendments to article 2 of the Constitution. Placed on the calendar;

O. No. 22: An ordinance to abolish the Senate of North Carolina, with the recommendation that it do not pass;

O. No. 156: An ordinance to prescribe an oath to members of the General Assembly, with the recommendation that it do not pass;

O. No. 151: An ordinance to amend section 25, article 2, of the Constitution, with accompanying amenduent;

R. No. 49: Resolution to amend section 15, article 11, of the Constitution, with the recommendation that it do not pass;

R. No. 80: Resolution proposing to amend section 9,

article 3 of the Constitution, with the recommendation that it do not pass.

Mr. Wilcox, from the select committee on *per diem* and mileage of this Convention, submitted a report, which was placed upon the calendar.

Mr. Wilcox moved to suspend the rules and put the resolution offered by the committee upon its adoption.

The motion to suspend the rules prevailed.

Mr. Manning, of Chatham, offered an amendment.

Mr. Boyd moved to re-commit the bill. The motion prevailed.

Mr. Manning, of Chatham, submitted a report from the Committee on Rules, proposing certain amendments to the rules of order.

The amendments proposed were adopted.

The following ordinances and resolutions were introduced, passed the first time, and referred or otherwise disposed of, as follows :

By Mr. Price : An ordinance to amend article 13, section 2, of the Constitution. To the Committee on the Legislative Department.

By Mr. Reid : An ordinance to amend section 9, article 7, of the Constitution. To the Committee on Municipal Corporations ;

A resolution to require twelve months' residence in the county as a qualification for voters. To the Committee on Suffrage and Eligibility to Office.

By Mr. Green : A resolution to amend article 4, section 4, of the Constitution. To the Committee on the Judicial Department.

By Mr. Cooper : A resolution to fix the salaries of Judges of the Superior Courts at \$2,000 *per annum*. To the Committee on the Executive Department ;

A resolution to allow the county of Graham a representative. To the Committee on the Legislative Department.

By Mr. Turner : A resolution instructing the Committee on

the Executive Department to amend, make certain and definite divers sections of the Constitution therein pointed out. To the Committee on the Executive Department.

Resolution instructing the Committee on Municipal Corporations to consider the propriety of amending divers and sundry inconsistent and contradictory sections of the Constitution herein pointed out. To the Committee on Municipal Corporations.

Resolution instructing the Committee on Education to so amend section 2, article 9, as to clear it of all doubt, and to cure the contradiction to be found in sections 10 and 11 of article 11. To the Committee on Education.

Resolution proposing to amend sections 9, 10 and 13, of article 2, of the Constitution, to make clear that which is doubtful and unmeaning in these sections. To the Committee on the Legislative Department.

By Mr. Buxton: Resolution to define the duties of the Committee on Revision. Placed on the calendar.

By Mr. Hinant: An ordinance to amend article 9, sections 4 and 7, of the Constitution. To the Committee on Education.

The unfinished business of yesterday being in order, the Convention proceeded to the consideration of ordinance in relation to the compensation of the members of the General Assembly.

The ordinance was read the third time.

The question recurred on the amendment proposed by Mr. Tourgee to the substitute by Mr. Allman.

Pending its consideration, Mr. Clingman called the previous question.

The call was sustained.

By unanimous leave, Mr. Bowman offered an amendment to the ordinance.

The question recurred first upon Mr. Tourgee's amendment to the substitute.

The yeas and nays being demanded, the amendment did not prevail, yeas 33, nays 74, as follows:

YEAS—Messrs. Barringer, Barrow, Bean, Bell, Black, Bliven, Bullock, Chamberlain, Davis, Dockery, French, Goodwin, Grantham, Hampton, Hodge, Hoffman, Holton, Justice, Kerr, Lowe, Mabson, Mannix, Manning of New Hanover, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Smythe, Thorne, Tourgee and Young—33.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bateman, Bennett, Bingham, Blocker, Bowman, Boyd, Bunn, Buxton, Bryan, Byrd, Cary, Carter, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Dobson, Dula, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hinnant, Horton, Jarvis, Jones of Caldwell, Jordan, King of Pitt, Kirby, Lehman, Love, Manning of Chatham, Marshall, Massey, McCanless, McCorkle, McEachin, Morehead, Neal, Nicholson, Price, Redwine, Reid, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Strowd, Summers, Taylor, Turner, Watts, Wilcox, Wilson, Withers and Woodfin—74.

The question then recurred upon the amendment proposed by Mr. Bowman.

The yeas and nays were ordered, and the amendment did not prevail. Yeas 15, nays 93, as follows :

YEAS—Messrs. Bowman, Bryan, Dockery, Dula, Hampton, Hinnant, Hoffman, Holton, Jones of Yadkin, Jordan, Mannix, McCanless, Munden, Taylor and Wheeler—15.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Barrow, Bateman, Bean, Bell, Bennett, Bingham, Black, Bliven, Blocker, Boyd, Bullock, Bunn, Buxton, Byrd, Cary, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Davis, Dobson, Everett, Farrior, French, George, Goodwin, Grantham, Green, Harrington, Hassel, Henderson, Hodge, Horton, Jarvis, Jones of Caldwell, Justice, Kerr, King of Pitt, Kirby, Lehman, Love, Lowe, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, Massey,

McCabe, McCorkle, McDonald, McEachin, Morehead, Neal, Nicholson, Nowell, O'Hara, Page, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Strowd, Summers, Thorne, Tourgee, Vaughan, Watts, Wilcox, Wilson, Withers and Young—93.

The question next recurred upon the substitute for the ordinance proposed by Mr. Allman.

The yeas and nays were demanded, and the substitute was adopted, yeas 83, nays 26, as follows :

YEAS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Barrow, Bateman, Bean, Bennett, Bingham, Black, Bliven, Blocker, Boyd, Bullock, Bunn, Buxton, Byrd, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Davis, Dobson, Dockery, Everett, Faison, Farrior, French, George, Green, Harrington, Hassel, Henderson, Hinnant, Hodge, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Justice, Kerr, King of Pitt, Kirby, Lowe, Manning of Chatham, Marshall, Massey, McCorkle, McDonald, McEachin, Morehead, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Strowd, Summers, Vaughan, Watts, Wilcox, Wilson, Withers and Woodfin—83.

NAYS—Messrs. Bell, Bowman, Bryan, Cary, Dula, Goodwin, Grantham, Hampton, Hoffman, Holton, Jordan, Lehman, Mabson, Mannix, Manning of New Hanover, McCabe, McCannless, Nowell, O'Hara, Page, Scott of Jones, Taylor, Thorne, Tourgee, Wheeler and Young—26.

Mr. Munden was paired with Mr. Love.

The ordinance then passed the third time. Yeas 83, nays 27, as follows :

YEAS—Mr. President, Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Barrow, Bateman, Bean, Bennett, Bingham, Black, Bliven,

Blocker, Bowman, Boyd, Bunn, Buxton, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Davis Dobson, Dockery, Dula, Everett, Faison, Farrior, French, George, Green, Harrington, Hassell, Henderson, Hinnant, Holton, Horton, Jarvis, Jones of Caldwell, Jordan, Kerr, King of Pitt, Kirby, Lowe, Manning of Chatham, Marshall, Massey, McCorkle, McEachin, Morehead, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Strowd, Summers, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers, Woodfin and Young—82.

NAYS—Messrs. Bell, Blocker, Bryan, Cary, Chamberlain, Crosby, Goodwin, Grantham, Hampton, Hodge, Hoffman, Jones of Yadkin, Justice, Lehman, Mabson, Mannix, Manning of New Hanover, McCabe, McCanless, McDonald, Nowell, O'Hara, Page, Scott of Jones, Taylor, Thorne and Tourgee—27.

The following resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified in open Convention :

Resolution concerning the Senate and House Libraries ;

Resolution to raise a committee on contingent expenses, and to authorize the President to draw on the Treasurer for contingent funds ;

Resolutions on the death of Hon. William A. Graham.

Resolutions of instruction to the Librarian.

The consideration of General Orders being in order, the Convention proceeded to consider the report of the Judicial Committee on ordinances and resolutions proposing to amend section 8, article 4.

The report of the committee was adopted as a substitute for the ordinances and resolutions embraced within the report, and numbered 1, 4, 7, 8, 12, 13 and 16.

The ordinance was then read the second time.

Pending its consideration, Mr. Badger moved to postpone

the ordinance until 11:30 A. M. to-morrow, and make it the special order for that hour.

The motion prevailed.

The Convention adjourned until to-morrow at 10 A. M.

ELEVENTH DAY.

FRIDAY, September 17, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was said by Rev. Mr. Jurney.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows :

To Mr. Holton, Mr. Bullock, Mr. Cunningham, Mr. Stallings, until Monday next ;

To Mr. Avery, Mr. Dockery, Mr. Lehman, Mr. McCabe, Mr. Shepherd, Mr. Roberts of Gates, Mr. Manning of New Hanover, Mr. Kirby and Mr. Blocker, until Tuesday next ;

To Messrs. Taylor and Page, indefinite leave ;

To Mr. Black and Mr. Marshall, Monday, Tuesday and Wednesday of next week ;

To Mr. Wheeler and Mr. Massey, one day.

The delegates to whom leave of absence was granted, paired off as follows :

Mr. Holton with Mr. Bingham ;

Mr. Taylor with Mr. Strowd ;

Mr. Dockery with Mr. Jarvis ;

Mr. Lehman with Mr. Shepherd ;

Mr. Roberts of Gates with Mr. Manning of New Hanover ;

Mr. Cunningham with Mr. Bullock ;

Mr. Stallings with Mr. Faircloth ;

Mr. Black with Mr. Marshall ;

Mr. Avery with Mr. Barringer.

Mr. Bennett from the Committee on the Judicial Department, submitted a report on O. No. 17 : An ordinance to remove the disabilities of William W. Holden, with the recommendation that it do not pass.

Mr. Wilcox, from the Select Committee, submitted an ordinance for the payment of the mileage and *per diem* of the officers, members and employees of this Convention. Placed upon the calendar.

The following ordinances and resolutions were introduced, read and passed the first time, and referred or otherwise disposed of, as follows :

By Mr. Jarvis : An ordinance to amend section 6, article 1, of the Constitution. To the Committee on Preamble and Bill of Rights.

By Mr. Turner : Resolution relating to the exchange of bonds between the State and the Chatham Railroad corporation. To the Committee on Miscellaneous Provisions.

By Mr. Barringer : An ordinance to amend section 24, article 1, of the Constitution, relative to carrying concealed weapons. To the Committee on Preamble and Bill of Rights.

By Mr. Wheeler : An ordinance to amend article 7 of the Constitution, to abolish the registration of electors, and to allow electors to vote at any election precinct in the county in which they reside. To the Committee on the Legislative Department ;

An ordinance to amend section 7, article 6, of the Constitution, to prevent the township board of trustees assessing their own property. To the Committee on Revenue, Taxation and the Public Debt ;

An ordinance to provide for the working of public roads by taxation. To the Committee on Revenue, Taxation and the Public Debt ;

An ordinance to prohibit the payment of the public debt, or any part thereof, until a bill providing for the payment of the

same, shall have passed the General Assembly, and have been submitted to and received the sanction of a majority of the voters of the State. To the Committee on Revenue, Taxation and the Public Debt.

By Mr. Henderson : An ordinance to submit to the people the amendments to the Constitution adopted by this Convention. To the Committee on Revision.

By Mr. Young : Resolution of adjournment *sine die*. Laid over under the rules.

At 11:30 A. M., the Chair announced the special order for that hour, to-wit : Report of the Judicial Committee on ordinances and resolutions proposing to amend section 8, article 4.

The ordinance proposed by the committee was read the second time.

Pending its consideration, Mr. Manning, of Chatham, called the previous question.

The yeas and nays being demanded, the call was sustained. Yeas 52, nays 49, as follows :

YEAS.—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hinnant, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Summers, Turner, Watts and Wilson—52.

NAYS.—Messrs. Albertson, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bnxtton, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, French, Goodwin, Grantham, Hampton, Hodge, Hoffman, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell,

O'Hara, Scott of Jones, Smythe, Thorne, Wheeler, Wilcox, Woodfin and Young—49.

Messrs. Badger, Bingham, Bullock, Cunningham, Dixon, Dockery, Durham, Faircloth, Holton, Jarvis, Stallings, Strowd, Taylor, Tourgee, Vaughan and Withers were paired off.

The question then recurred on the passage of the ordinance on its second reading.

The yeas and nays being demanded, it passed the second time. Yeas 65, nays 35, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bean, Bennett, Bowman, Bunn, Bryan, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Dula, Everett, Faison, Farrior, George, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Jones of Caldwell, King of Pitt, Kirby, Love, Lowe, Manning of Chatham, Marshall, Massey, McCanless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Spake, Summers, Turner, Watts, Wheeler, Wilcox, Wilson and Woodfin—65.

NAYS—Messrs. Albertson, Barringer, Barrow, Bateman, Bell, Black, Bliven, Blocker, Boyd, Buxton, Cary, Chamberlain, Crosby, Davis, French, Goodwin, Grantham, Hodge, Horton, Jordan, Justice, Kerr, King of Lenoir, Lehman, Mabson, Mannix, Manning of New Hanover, McCabe, McDonald, Munden, Nowell, O'Hara, Smythe, Thorne and Young—35.

Delegates were paired as in the previous ballot.

Mr. Scott, of Jones, moved to reconsider the vote just had.

Mr. Morehead moved to lay that motion upon the table.

The motion to table prevailed.

Mr. French moved to suspend the rules, in order to take up the ordinance on *per diem* and mileage of the Convention.

The yeas and nays being ordered, the motion did not prevail. Yeas 49, nays 50, as follows :

YEAS—Messrs. Albertson, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Scott of Jones, Smythe, Thorne, Wilcox, Woodfin and Young—49.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Summers, Turner, Watts, Wheeler and Wilson—50.

Delegates were paired as in the previous ballots.

Mr. Badger moved to suspend the rules and take up Ordinance No. 17 : An ordinance to remove the disabilities of William W. Holden.

The motion prevailed, and, on motion of Mr. Badger, the ordinance was made the special order for 12 M., next Wednesday.

Ordinances and resolutions on second reading were acted on, as follows :

O. No. 9 : Ordinance to amend article 4 of the Constitution of North Carolina.

Mr. Avery moved to postpone until Tuesday.

Mr. Chamberlain moved to lay the ordinance on the table.

The motion to table prevailed.

R. No. 81: Resolution proposing to strike out section 9, article 4, of the Constitution.

On motion of Mr. Chamberlain, the resolution was laid upon the table.

O. No. 129: Ordinance to amend article 4 of the Constitution.

Mr. Badger moved to lay the ordinance on the table. The yeas and nays were ordered, and the motion did not prevail, yeas 36, nays 62, as follows:

YEAS—Messrs. Bean, Black, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dobson, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Horton, Jordan, Justice, Kerr, King of Lenoir, King of Pitt, Lehman, Love, Mabson, Mannix, Massey, McCabe, McCanless, McDonald, Munden, Nowell, Price, Scott of Jones, Smythe and Young—36.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Barrow, Bateman, Bell, Bliven, Blocker, Bowman, Boyd, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Dula, Everett, Faison, George, Green, Harrington, Hassell, Henderson, Jones of Caldwell, Jones of Yackin, Kirby, Lowe, Manning of Chatham, Manning of New Hanover, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, O'Hara, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Summers, Thorne, Turner, Watts, Wheeler, Wilcox, Wilson and Woodfin—62.

On motion of Mr. Avery, the ordinance was made the special order for Tuesday next at 12 M.

O. No. 22: An ordinance to abolish the Senate of North Carolina.

Laid upon the table on motion of Mr. Chamberlain.

R. No. 49: A resolution to amend section 15, article 2, of the Constitution of North Carolina. Laid upon the table on motion of Mr. Robbins.

O's. No. 28, 29 and 44: Ordinances to amend section 3 of

article 9 of the Constitution, providing for separate schools for the white and colored races.

The ordinances were read the second time.

The question recurring upon the substitute offered by the Committee on Education, it was adopted.

Pending its consideration, Mr. Young moved to postpone the further consideration of the ordinance until Thursday next at 12 M., and make it the special order for that hour. The motion prevailed.

The Convention then adjourned until to-morrow at 10 A. M.

TWELFTH DAY.

SATURDAY, September 18, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was said by Rev. Mr. Hassell.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows:

To Messrs. Sinclair and McDonald, until Tuesday;

To Messrs. Grantham and George, until Tuesday;

To Mr. Blocker until Monday;

To Mr. Hinnant for to-day;

To Mr. O'Hara until Wednesday;

To Mr. Scott, of Jones, until Monday evening;

To Mr. Jones, of Yadkin, for one week, beginning from next Monday;

To Mr. Hill, Sergeant-at-Arms, indefinite leave.

Delegates paired off as follows:

Mr. Sinclair with Mr. McDonald.

Mr. Grantham with Mr. George.

Mr. Blocker with Mr. King.

Mr. O'Hara with Mr. Manning, of Chatham.

Mr. Durham with Mr. McCabe.

Mr. Bunn with Mr. Albertson.

Mr. William N. Patterson, delegate from Orange, appeared, presented his credentials, was sworn in, and took his seat.

Mr. Clingman, from the Committee on the Legislative Department, reported the following ordinances and resolutions, and asked to be discharged from the further consideration of the subjects :

O. No. 25: An ordinance to regulate the *per diem* and mileage of members of the General Assembly;

R. No. 114: A resolution to alter section 29, article 17, of the Constitution of North Carolina;

O. No. 83: An ordinance to amend article 2, section 27, of the Constitution;

O. No. 84: An ordinance to amend article 2, section 29, of the Constitution;

O. No. 141: An ordinance to amend article 2 of the Constitution, changing the time of meeting of the General Assembly, &c.;

R. No. 24: A resolution on the legislative department;

R. No. 23: A resolution concerning pay of the members of the Legislature;

O. No. 20: An ordinance to amend article 2 of the Constitution, fixing the pay of members of the General Assembly;

O. No. 82: An ordinance to strike out of the Constitution sections 4 and 8 of article 2 thereof;

R. No. 70: A resolution to amend section 2, article 2, of the Constitution of North Carolina.

Mr. Clingman, from the Committee on the Legislative Department, submitted the following ordinances and resolutions, with a recommendation that they do not pass:

R. No. 185: Resolution to allow the county of Graham a representative;

O. No. 27: An ordinance concerning civil rights and social equality in North Carolina ;

O. No. 162: An ordinance to give the county of Pamlico a representative ;

O. No. 21: An ordinance to amend section 14, article 2, of the Constitution, abolishing private legislation ;

R. No. 48: A resolution to amend section 29, article 2, of the Constitution ;

O. No. 140: An ordinance to amend article 2 of the Constitution, providing for special legislation ;

O. No. 154: An ordinance to reduce the number of State Senators to twenty-five ;

O. No. 150: An ordinance to amend section 3, article 2, of the Constitution ;

O. No. 168: An ordinance to allow the county of Edgecombe another member of the House of Representatives ;

O. No. 170: An ordinance to allow the county of Halifax another member in the General Assembly, under the existing Constitution ;

O. No. 178: An ordinance to restore to Anson county the representation in the General Assembly of which it was deprived by the Convention in 1868 ;

R. No. 183: A resolution proposing to amend sections 9, 10 and 13, of article 2, of the Constitution, to make clear that which is doubtful and unmeaning in these sections.

The following ordinances and resolutions were introduced, read and passed the first time, and disposed of, as follows :

By Mr. Vaughan: An ordinance to amend section 25, article 2, of the Constitution. To the Committee on the Legislative Department.

By Mr. Woodfin: An ordinance providing the way the amendments to the Constitution shall be submitted to the people. To the Committee on Amendments.

By Mr. Chamberlain: Resolution of instruction to the Secretary of the Convention. Placed on the calendar.

By Mr. Thorne: An ordinance to secure an equal and just

apportionment of Municipal, Legislative and Congressional Districts. To the Committee on Amendments.

By Mr. Rumley: An ordinance to exempt certain personal property from taxation. To the Committee on Revenue, Taxation and the Public Debt.

By Mr. Munden: Resolution on *sine die* adjournment. Placed on the calendar.

The consideration of general orders being in order, the Convention proceeded to consider O. No. . . : An ordinance to amend section 8, article 4, of the Constitution, it being the substitute adopted for ordinances Nos. 1, 4, 7, 8, 12, 13 and 16.

The ordinance was read the third time.

The yeas and nays being ordered, it passed the third time. Yeas 56, nays 26, as follows:

YEAS—Mr. President, Messrs. Allman, Anderson of Clay, Anderson of Madison, Bean, Bennett, Bowman, Boyd, Bunn, Bryan, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Dula, Everett, Faison, Farrior, Green, Hampton, Harrington, Hassell, Henderson, Hoffman, Jones of Caldwell, Kerr, Love, Lowe, Marshall, McCanless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Spake, Summers, Turner, Watts, Wilcox, Wilson and Woodfin—56.

NAYS—Messrs. Albertson, Badger, Barrow, Bateman, Bell, Black, Bliven, Buxton, Cary, Chamberlain, Crosby, Davis, French, Goodwin, Hodge, Horton, Justice, King of Lenoir, Mabson, Mannix, McDonald, Munden, Nowell, Page, Smythe, Thorne and Young—26.

The following delegates were paired off:

Messrs. Allison, Avery, Barringer, Bingham, Blocker, Cunningham, Dixon, Dockery, Durham, Faircloth, George, Grant-ham, Holton, Jarvis, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, McCabe, O'Hara, Price, Roberts of Gates, Shepherd, Stallings, Strowd, Taylor, Tourgee, Vaughan, Wheeler and Withers.

Mr. Boyd moved to re-consider the vote just had.

Mr. Manning, of Chatham, moved to lay that motion on the table.

The motion to table prevailed.

Ordinances and resolutions on their second reading were acted on as follows:

Ordinances No. 6, 11 and 120: Ordinances to amend section 12, article 4, of the Constitution.

The ordinances were read the second time.

The question recurred upon the substitute proposed by the Committee on the Judicial Department; and it was adopted.

The question then recurred on the passage of the ordinance on its second reading.

Mr. Bowman offered an amendment, striking out that portion authorizing the General Assembly to increase the number of Judges.

Pending its consideration, Mr. Singeltary called the previous question.

The yeas and nays were ordered, and the call was sustained, yeas 43, nays 36, as follows:

YEAS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bateman, Bennett, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Jones of Caldwell, Love, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Spake, Summers, Turner and Watts—43.

NAYS—Messrs. Albertson, Badger, Barrow, Bean, Bell, Black, Bliven, Bowman, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, French, Goodwin, Hampton, Hodge, Horton, Jones of Yadkin, Justice, Kerr, King of Lenoir, Lowe, Mannix, McCanless, McDonald, Munden, Nowell, Smythe, Thorne, Wilson, Woodfin and Young—36.

The following delegates were paired off:

Messrs. Allison, Avery, Barringer, Bingham, Bullock, Cun-

ningham, Dixon, Dockery, Durham, Faircloth, George, Grant-ham, Holton, Jarvis, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Massey, McCabe, O'Hara, Price, Roberts of Gates, Shepherd, Stallings, Strowd, Taylor, Tourgee, Vaughan, Wheeler and Withers.

The question then recurred upon the adoption of the amendment proposed by Mr. Bowman.

The yeas and nays were ordered, and the amendment was rejected. Yeas 29, nays 51, as follows :

YEAS—Messrs. Barrow, Bateman, Bean, Bell, Black, Bliven, Bowman, Buxton, Bryan, Chamberlain, Crosby, Dula, French, Goodwin, Hampton, Hoffman, Horton, Jones of Yadkin, Justice, Kerr, King of Lenoir, Lowe, Mannix, McCanless, McDonald, Munden, Smythe, Woodfin and Young—29.

NAYS—Messrs. Albertson, Allman, Anderson of Clay, Anderson of Madison, Badger, Bennett, Boyd, Bunn, Byrd, Cary, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Hodge, Jones of Caldwell, Love, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Spake, Summers, Thorne, Turner, Watts and Wilson—51.

The following delegates were paired off:

Messrs. Allison, Avery, Barringer, Bingham, Blocker, Bullock, Cunningham, Dixon, Dockery, Durham, Faircloth, George, Grantham, Holton, Jarvis, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Massey, McCabe, O'Hara, Price, Roberts of Gates, Shepherd, Stallings, Strowd, Taylor, Tourgee, Vaughan, Wheeler and Withers.

The ordinance then passed its second reading, yeas 59, nays 17, as follows :

YEAS—Messrs. Albertson, Allman, Anderson of Clay, Anderson of Madison, Bateman, Bean, Bell, Bennett, Boyd, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Da-

vis, Dobson, Dula, Everett, Faison, Farrior, Green, Hampton, Harrington, Hassell, Henderson, Hoffman, Jones of Caldwell, Kerr, King of Lenoir, Love, Lowe, Marshall, McCanless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Spake, Summers, Thorne, Turner, Watts, Wilson and Woodfin—59.

NAYS—Messrs. Badger, Barrow, Black, Bliven, Buxton, Bryau, Cary, Chamberlain, Crosby, French, Goodwin, Hodge, Horton, Justice, Mannix, Munden and Smythe—17.

The following delegates were paired off:

Messrs. Allison, Avery, Barringer, Bingham, Blocker, Bullock, Cunningham, Dixon, Dockery, Durham, Faircloth, George, Grantham, Holton, Jarvis, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Massey, McCabe, O'Hara, Price, Roberts of Gates, Shepherd, Stallings, Strowd, Taylor, Tourgee, Vaughan, Wheeler and Withers.

O. No. 72: An ordinance to amend article 9, section 4, of the Constitution. Laid upon the table, on motion of Mr. Robbins.

O. No. 80: An ordinance proposing to amend section 9, article 3, of the Constitution. Laid upon the table, on motion of Mr. Clingman.

R. No. 89: A resolution to alter section 4, article 4, of the Constitution.

The substitute proposed by the Committee on the Judicial Department was adopted; and the ordinance passed the second time.

O. No. 143: An ordinance to amend article 9 of the Constitution, providing for the preservation and investment of the Public School funds. Re-committed to the Committee on Education.

O. No. 151: An ordinance to amend section 25, article 2, of the Constitution. Re-committed to the Committee on the Legislative Department.

O. No. 156: An ordinance to prescribe an oath for members of the General Assembly. Laid upon the table, on motion of Mr. Olingman.

O. No. 173: An ordinance in regard to adjournment and *per diem*. Laid upon the table, on motion of Mr. Manning, of Chatham.

O. No. 191: An ordinance to amend article 2 of the Constitution.

The ordinance was read the second time.

A division of the question being ordered, the question recurred first upon the amendment proposed to section 2, of article 2.

Mr. Badger offered to amend by adding: "And when assembled shall be denominated the General Assembly. Neither house shall proceed upon public business, unless a majority of all the members are actually present."

Pending its consideration, Mr. Albertson moved to recommit the ordinance.

The motion did not prevail.

The amendment proposed by Mr. Badger was adopted.

Mr. Cooper offered to amend by adding the following:

"The Senate and House of Representatives shall meet biennially on the first Wednesday after the first Monday in January next after their election."

The amendment to the amendment was adopted.

The question next recurred on the amendment proposing to strike section 4, of article 2, from the Constitution; and it prevailed.

The question then recurred upon the amendment proposing to strike out section 8, of article 2; and it prevailed.

The question next recurred upon the amendment proposed to section 29, of article 2; and it prevailed.

The question then recurred on the amendment proposed to section 27, of article 2; and it prevailed.

The ordinance then passed its second reading, as amended.

On motion of Mr. Young, R. No. 192: A resolution of *sine die* adjournment, was called up and placed on its adoption.

The yeas and nays were ordered, and the resolution was not adopted, yeas 35, nays 44, as follows:

YEAS—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Bowman, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, French, Goodwin, Hampton, Hodge, Hoffman, Horton, Jones of Yadkin, Justice, Kerr, King of Lenoir, Lowe, Mannix, McCanless, Munden, Nowell, Smythe, Thorne and Young—35.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bennett, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Jones of Caldwell, Love, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Spake, Summers, Turner, Watts, Wilson and Woodfin—44.

The following delegates were paired off:

Messrs. Allison, Avery, Barringer, Bingham, Blocker, Bullock, Cunningham, Dixon, Dockery, Durham, Faircloth, George, Grantham, Holton, Jarvis, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Massey, McCabe, O'Hara, Price, Roberts of Gates, Shepherd, Stallings, Strowd, Taylor, Tourgee, Vaughan, Wheeler and Withers.

The Convention adjourned until 10 A. M. Monday.

THIRTEENTH DAY.

MONDAY, September 20, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by the Rev. Dr. Pritchard.

The Journal of Saturday was read and approved.

Leaves of absence were granted as follows :

To Messrs. Byrd, Manning of Chatham, Young and Barringer, until Wednesday.

These delegates paired off as follows :

Mr. Byrd with Mr. Hampton, Mr. Manning of Chatham with Mr. O'Hara, Mr. Young with Mr. Withers, Mr. Barringer with Mr. Avery.

Mr. Strowd presented a memorial from the State Grange of North Carolina, relative to the establishment of a Department of Agriculture. Read and referred to the Committee on the Legislative Department.

The following ordinances and resolutions were introduced, read the first time and referred, or otherwise disposed of, as follows :

By Mr. King, of Lenoir: An ordinance in relation to the establishing of new counties by the General Assembly, and to add a new section to the Legislative Department. To the Committee on the Legislative Department.

By Mr. Bryan: Resolution on adjournment. Placed on the calendar.

By Mr. Anderson, of Clay: An ordinance to amend section 6, article 12, of the Constitution of North Carolina. To the Committee on Municipal Corporations.

By Mr. McEachin: Resolution to amend section 7, article 7, of the Constitution. To the Committee on Municipal Corporations.

By Mr. Cooper: An ordinance to amend section 26, article 4. To the Judicial Committee.

By Mr. Bell: An ordinance entitling Bertie county to two members in the House of representatives of the General Assembly. To the Committee on the Legislative Department.

By Mr. Jarvis: An ordinance to amend section 1, of article 3, of the Constitution. To the Committee on the Executive Department.

Ordinances on third reading were acted on as follows:

O. No. 89: An ordinance to amend section 4, article 4, of the Constitution of North Carolina.

The ordinance was read the third time.

Mr. French offered to amend by inserting after "superior courts," in line 7, "courts of arbitration and award," and inserting in line 8, after the word "other," the word "criminal."

Pending its consideration, Mr. Durham called the previous question.

The call was sustained.

A division of the question was ordered.

The question recurred first upon the proposition to amend by inserting after "superior courts," in line 7, "courts of arbitration and award."

The amendment did not prevail.

The question then recurred on the proposition to insert in line 8, after the word "other" the word "criminal."

The yeas and nays were ordered, and the amendment was not adopted, yeas 20, nays 54, as follows:

YEAS—Messrs. Bateman, Boyd, Buxton, Bryan, Chamberlain, Davis, French, Goodwin, Hinnant, Hodge, Hoffman, Horton, Justice, Kerr, King of Lenoir, Mannix, Massey, Munden, Smythe and Tourgee—20.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Badger, Barrow, Bean, Bell, Bennett, Bingham, Bowman, Cary, Carter, Clingman, Coleman, Cooper, Cowell, Crosby, Dula, Durham, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Holton, Jones of

Caldwell, Love, Lowe, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Page, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Singeltary, Spake, Summers, Thorne, Turner, Watts and Wilcox—54.

The following delegates were paired off:

Messrs. Albertson, Allison, Avery, Barringer, Blocker, Bullock, Bunn, Byrd, Cunningham, Dixon, Dobson, Dockery, Faireloth, George, Grantham, Hampton, Jarvis, Jones of Yadkin, Jordan, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Marshall, McCabe, McDonald, Roberts of Gates, Shepherd, Sinclair, Stallings, Strowd, Taylor, Vaughan, Wheeler, Withers and Young.

Mr. Mannix offered to amend by inserting after the word "law," in line 9, the following: "Providing that what were formerly known as the Courts of Pleas and Quarter Sessions, or Courts of similar character as to manner of construction or jurisdiction, shall not be established."

The yeas and nays were ordered, and the amendment was rejected. Yeas 35, nays 41, as follows:

YEAS.—Messrs. Badger, Barrow, Bateman, Bean, Bell, Bliven, Bowman, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, French, Goodwin, Hinnant, Hodge, Hoffman, Holton, Horton, Justice, Kerr, King of Lenoir, Lowe, Mannix, Massey, Munden, Nowell, Page, Smythe, Thorne, Tourgee, Wilcox and Woodfin—35.

NAYS.—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bennett, Bingham, Carter, Clingman, Coleman, Cooper, Cowell, Durham, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Jones of Caldwell, Love, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Singeltary, Spake, Summers, Turner, Watts and Wilson—41.

The following delegates were paired off:

Messrs. Albertson, Allison, Avery, Barringer, Blocker, Bul-

lock, Bunn, Byrd, Cunningham, Dixon, Dobson, Dockery, Faircloth, George, Grantham, Hampton, Jarvis, Jones of Yadkin, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Marshall, McCabe, McDonald, O'Hara, Roberts of Gates, Shepherd, Sinclair, Stallings, Strowd, Taylor, Vaughan, Withers and Young.

Mr. Manning, of New Hanover, proposed to amend by inserting after the word "law," in ninth line, "and that all the officers of such courts shall be elected by the qualified voters within the jurisdiction of the said courts."

The yeas and nays were ordered, and the amendment was rejected. Yeas 29, nays 46, as follows:

YEAS—Messrs. Badger, Bowman, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, Goodwin, Hinnant, Hodge, Hoffman, Holton, Horton, Justice, Kerr, King of Lenoir, Lowe, Mannix, Massey, McCanless, Munden, Nowell, Page, Smythe, Thorne, Tourgee and Woodfin—29.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Barrow, Bateman, Bean, Bell, Bennett, Bingham, Bliven, Carter, Clingman, Coleman, Cooper, Cowell, Durham, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Jones of Caldwell, Love, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Singeltary, Spake, Summers, Turner, Watts and Wilson—46.

PAIRED—Messrs. Albertson, Allison, Avery, Barringer, Blocker, Bullock, Bunn, Clingman, Dixon, Dobson, Dockery, Faircloth, George, Grantham, Hampton, Jarvis, Jones of Yadkin, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Marshall, McCabe, McDonald, O'Hara, Roberts of Gates, Shepherd, Sinclair, Stallings, Strowd, Taylor, Vaughan, Wheeler, Withers and Young.

Mr. Tourgee offered to amend by adding the following:

‘ Because the Couvention has not time to consider what courts are necessary.’

The amendment did not prevail.

The ordinance then passed the third time, yeas 43, nays 35, as follows :

YEAS.—Messrs. Allman, Anderson of Clay, Anderson of Madison, Badger, Bennett, Bingham, Carter, Clingman, Coleman, Cooper, Cowell, Dula, Durham, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Jones of Caldwell, Love, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Rumley, Scott of Onslow, Shober, Singeltary, Spake, Summers, Turner, Watts and Wilson—43.

NAYS.—Messrs. Badger, Barrow, Bateman, Bean, Bell, Bliven, Bowman, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, French, Goodwin, Hinnant, Hodge, Hoffman, Holton, Horton, Justice, Kerr, King of Lenoir, Lowe, Manix, Massey, McCanless, Munden, Nowell, Page, Smythe, Thorne, Tourgee, Wilcox and Woodfin—35.

The following delegates were paired off :

Messrs. Albertson, Allison, Avery, Barringer, Blocker, Bullock, Bunn, Byrd, Cunningham, Dixon, Dobson, Dockery, Faircloth, George, Grantham, Hampton, Jarvis, Jones of Yadkin, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Marshall, McCabe, McDonald, O'Hara, Roberts of Gates, Shepherd, Sinclair, Stallings, Strowd, Taylor, Vaughan, Wheeler, Withers and Young.

O. No. 191 : An ordinance to amend article 2.

The ordinance was read and passed the third time.

Mr. Justice moved that the Convention do now adjourn.

The motion did not prevail.

O. No. 208 : An ordinance to amend section 12, article 4, of the Constitution.

The ordinance was read the third time.

Mr. Buxton moved to strike out “ 9 ” and insert “ 10.”

The amendment did not prevail.

Mr. King, of Lenoir, offered an amendment.

The yeas and nays being ordered, the amendment did not prevail. Yeas 33, nays 45, as follows :

YEAS—Messrs. Barrow, Bean, Bliven, Bowman, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, French, Goodwin, Hinnant, Hodge, Hoffman, Holton, Horton, Justice, Kerr, King of Lenoir, Lowe, Mannix, Massey, McCannless, Munden, Page, Smythe, Thorne, Tourgee, Wilson and Woodfin—33.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Badger, Bateman, Bell, Bennett, Bingham, Carter, Clingman, Coleman, Cooper, Cowell, Durham, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Jones of Caldwell, Love, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Singeltary, Spake, Summers, Turner, Watts and Wilcox—45.

The following delegates were paired off:

Messrs. Albertson, Allison, Avery, Barringer, Blocker, Bullock, Bunn, Byrd, Cunningham, Dixon, Dobson, Dockery, Faircloth, George, Grantham, Hampton, Jarvis, Jones of Yadkin, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Marshall, McCabe, McDonald, O'Hara, Roberts of Gates, Shepherd, Sinclair, Stallings, Strowd, Taylor, Vaughan, Wheeler, Withers and Young.

Mr. Boyd offered an amendment.

Pending its consideration, Mr. Robbins called the previous question.

The call was sustained.

The question recurred first upon the amendment proposed by Mr. Boyd.

The yeas and nays were ordered, and the amendment was rejected. Yeas 35, nays 41, as follows :

YEAS.—Messrs. Badger, Barrow, Bean, Bliven, Bowman, Boyd, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, Durham, French, Goodwin, Hinnant, Hodge, Hoffman, Holton, Horton, Justice, Kerr, King of Lenoir, Lowe, Mannix, Massey, McCanless, Munden, Page, Smythe, Thorne, Tourgee, Wilcox, Wilson and Woodfin—35.

NAYS.—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bateman, Bell, Bennett, Bingham, Carter, Clingman, Coleman, Cooper, Cowell, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Jones of Caldwell, Love, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Singeltary, Spake, Summers, Turner and Watts—41.

The ordinance then passed the third time, yeas 48, nays 27, as follows:

YEAS.—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bean, Bennett, Bingham, Bowman, Carter, Clingman, Coleman, Cooper, Cowell, Dula, Durham, Everett, Faison, Farrior, Green, Harrington, Hassell, Henderson, Hoffman, Jones of Caldwell, Love, Lowe, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Singeltary, Spake, Summers, Turner, Watts, Wilcox, Wilson and Woodfin—48.

NAYS.—Messrs. Badger, Barrow, Bell, Bliven, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, French, Goodwin, Hinnant, Hodge, Holton, Horton, Justice, King of Lenoir, Mannix, Massey, McCanless, Munden, Nowell, Page, Smythe, Thorne and Tourgee—27.

The following delegates were paired off:

Messrs. Albertson, Allison, Avery, Barringer, Blocker, Bullock, Bunn, Byrd, Cunningham, Dixon, Dobson, Dockery, Faircloth, George, Grantham, Hampton, Jarvis, Jones of Yadkin, Jordan, King of Pitt, Kirby, Lehman, Manning of Chatham, Manning of New Hanover, Marshall, McCabe,

McDonald, O'Hara, Roberts of Gates, Shepherd, Sinclair, Stallings, Strowd, Taylor, Vaughan, Wheeler, Withers and Young.

The Convention adjourned until 10 A. M. to-morrow.

FOURTEENTH DAY.

TUESDAY, September 21, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Mr. Spake.

The Journal of yesterday was read.

Mr. French asked the Chair to instruct the Secretary to record in the Journal certain amendments which were offered on yesterday to Ordinance No. 89, and rejected.

The Chair decided that it was not within the province of the Chair to make such an order.

The Journal of yesterday was then approved.

Thereupon, Mr. French moved to suspend the rules, in order to offer a resolution concerning the Journal of the Convention. The motion prevailed.

Mr. French then introduced the following:

Resolved, That all original propositions, except those tabled on an adverse report of a committee, and all amendments offered, be, in substance or in form if necessary, entered upon the Journal, and that a committee of three be appointed to examine the Journal as heretofore made up, and report what amendments are omitted, that the same may be entered in their appropriate places.

“ *Resolved*, That the Secretary be and he is hereby authorized to employ a clerk at a compensation not exceeding three dollars per day.”

The resolution was read and adopted.

The Chair designated Messrs. French, Durham and Badger as the Select Committee proposed in the above resolution.

Leave of absence was granted Mr. Mabson until Friday of the present week. Mr. Cowell was announced as having paired off with him.

Leave of absence for to-day was granted Mr. Byrd. Mr. Hinnant was announced as paired off with him.

The following ordinances and resolutions were introduced, read and passed the first time, and referred, or otherwise disposed of, as follows :

By Mr. Strowd : An ordinance to amend article 3 of the constitution, by requiring the General Assembly to establish a Department of Agriculture. To the Committee on the Legislative Department.

By Mr. Faison : A resolution to amend article 4, section 17, of the Constitution, to prohibit the apprenticing of white children to persons of color. To the Committee on the Judicial Department.

By Mr. King, of Lenoir : A resolution to adjourn *sine die*. Laid over under the rules.

By Mr. Turner : A resolution condemnatory of the system of bribery and corruption as practiced by the Chatham, *alias*, Raleigh and Augusta Air Line Railroad Corporation. Placed on the calendar.

By Mr. Cooper : An ordinance to amend article 5, section 6, of the Constitution, by exempting from taxation all property belonging to the State, or to Municipal Corporations ; all property held for educational, scientific, literary, charitable, or religious purposes ; and the agricultural and mechanical implements of farmers and mechanics, to a value of three

hundred dollars. To the Committee on Revenue, Taxation and the Public Debt.

By Mr. Durham : A resolution proposing an amendment to the Constitution, so as to confer upon Justices of the Peace jurisdiction of misdemeanors and petty larcenies. To the Committee on the Judicial Department.

By Mr. Justice : A resolution concerning the separation of the races in schools. Placed on the calendar.

By Mr. Henderson : An ordinance to amend section 13, article 2, of the Constitution, prohibiting special legislation. To the Committee on the Legislative Department.

By Mr. Boyd : An ordinance to amend article 4, section 33, of the Constitution, regarding appeals from Magistrates' Courts. To the Committee on the Judicial Department.

Reports from Standing Committees were submitted as follows :

By Mr. Durham, from the Committee on Revenue, Taxation, and the Public Debt, R. No. 77 : A resolution concerning the common highways of the State ; with a recommendation that the committee be discharged from its further consideration.

From the Committee on Education :

By Mr. Morehead : O. No. 182 : An ordinance to amend article 9, sections 4 and 7 of the Constitution ; with a recommendation that it do not pass.

O. No. 175 : An ordinance to amend section 4, article 9, of the Constitution ; with a recommendation that it do not pass.

O. No. 143 : An ordinance to amend article 9, of the Constitution, providing for the preservation and investment of Public School funds, with a recommendation that the accompanying substitute be adopted.

Mr. Durham moved to reconsider Ordinance No. 208, concerning the division of the State into Nine Judicial Districts ; and moved to postpone the further consideration of that motion until to-morrow at 1 o'clock, P. M., and make it the special order for that hour.

The motion to postpone and make the special order prevailed.

At 12 o'clock the Chair announced that the hour had arrived for the special order, to-wit:

O. No. 129: An ordinance to amend article 4, of the Constitution, by striking out section 9, of said article, which requires two terms of the Supreme Court to be held at the seat of government of the State in each year.

The ordinance was read the second time.

The yeas and nays were ordered, and the ordinance passed the second time. Yeas 47, nays 37, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Badger, Bingham, Bowman, Clingman, Coleman, Cooper, Dula, Durham, Everett, Faison, Farrior, Hampton, Harrington, Hassell, Henderson, Hoffman, Horton, Jones of Caldwell, Kirby, Love, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Scott of Onslow, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Vaughan, Watts, Wheeler, Wilcox, Wilson and Woodfin—47.

NAYS—Messrs. Barrow, Bateman, Bean, Bell, Bennett, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Carter, Crosby, Cunningham, Davis, Dixon, Faircloth, French, Goodwin, Green, Hodge, Holton, King of Lenoir, Lowe, Mannix, Massey, McCannless, McDonald, Motz, Nowell, Page, Price, Rumley, Scott of Jones, Smythe, Thorne and Tourgee—37.

The following delegates were paired off:

Messrs. Albertson, Avery, Barringer, Bunn, Byrd, Cowell, Dobson, Dockery, George, Grantham, Hinnant, Jarvis, Jones of Yadkin, Jordan, King of Pitt, Lehman, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, McCabe, O'Hara, Roberts of Gates, Shepherd, Strowd, Withers and Young.

Mr. Chamberlain was excused from voting by general consent.

Ordinances and resolutions on second reading were acted upon as follows :

O. No. 141 : An ordinance to amend article 2 of the Constitution, changing the time of meeting of the General Assembly.

The ordinance was read the second time, and, on motion of Mr. Cooper, laid upon the table.

O. No. 84 : An ordinance to amend article 2, section 29, of the Constitution.

The ordinance was read the second time, and, on motion of Mr. Cooper, laid upon the table.

O. No. 83 : An ordinance to amend article 2, section 27, of the Constitution.

The ordinance was read the second time, and, on motion of Mr. Bunn, laid upon the table.

R. No. 70 : A resolution to amend section 2, article 2, of the Constitution of North Carolina.

The resolution was read the second time, and, on motion of Mr. Cooper, laid upon the table.

O. No. 25 : An ordinance to regulate the *per diem* and mileage of members of the General Assembly.

The ordinance was read the second time, and, on motion of Mr. Avery, laid upon the table.

R. No. 24 : A resolution upon the Legislative Department.

The resolution was read the second time, and, on motion of Mr. Cooper, laid upon the table.

R. No. 23 : A resolution concerning the pay of the members of the Legislature.

Read the second time, and, on motion of Mr. Bean, laid upon the table.

O. No. 82 : An ordinance to strike out of the Constitution sections 4 and 8 of article 2 thereof.

The ordinance was read the second time, and, on motion of Mr. Shepherd, laid upon the table.

O. No. 20 : An ordinance to amend article 2 of the Constitution, fixing the pay of members of the General Assembly.

The ordinance was read the second time, and, on motion of Mr. Morehead, laid upon the table.

O. No. 95: An ordinance to make the homestead a fee simple.

The ordinance was read the second time, and, on motion of Mr. Anderson, of Clay, laid upon the table.

R. No. 114: A resolution to alter section 29, article 2, of the Constitution of North Carolina.

The resolution was read the second time, and, on motion, laid upon the table.

R. No. 124: A resolution in regard to the reports of standing committees.

The resolution was read the second time, and, on motion of Mr. Tourgee, laid upon the table.

R. No. 171: A resolution calling the attention of the Committee on the Judiciary to article 4, sections 15, 21, 22, 29, 30 and 33, and the defects therein contained, and proposing amendments.

The resolution was read the second time, and, on motion of Mr. Robbins, laid upon the table.

R. No. 185: A resolution to allow the county of Graham a representative.

The resolution was read the second time, and, on motion of Mr. Clingman, laid upon the table.

R. No. 183: A resolution proposing to amend sections 9, 10 and 13 of article 2 of the Constitution, to make clear that which is doubtful and unmeaning in these sections.

The resolution was read the second time, and, on motion of Mr. Anderson, of Clay, laid upon the table.

O. No. 170: An ordinance to allow the county of Halifax another member in the General Assembly under the existing Constitution.

The ordinance was read the second time, and, on motion of Mr. Shepherd, laid upon the table.

O. No. 150: An ordinance to amend section 3, article 2, of the Constitution.

The ordinance was read the second time, and, on motion of Mr. Anderson, of Clay, laid upon the table.

O. No. 154: An ordinance to reduce the number of State Senators to twenty-five.

The ordinance was read the second time, and, on motion of Mr. Vaughan, made the special order for Friday next at 12 M.

O. No. 140: An ordinance to amend article 2 of the Constitution, providing for special legislation.

The ordinance was read the second time, and, on motion of Mr. Henderson, laid upon the table.

O. No. 162: An ordinance to give the county of Pamlico a representative.

The ordinance was read the second time, and, on motion of Mr. Shepherd, laid upon the table.

O. No. 21: An ordinance to amend section 14, article 2, of the Constitution, abolishing private legislation.

The ordinance was read the second time, and, on motion of Mr. Robbins, laid upon the table.

O. No. 27: An ordinance concerning civil rights and social equality in North Carolina.

The ordinance was read the second time, and, on motion of Mr. Anderson, of Clay, laid upon the table.

R. No. 60: A resolution in relation to the funeral expenses of Hon. William A. Graham.

The resolution was read and passed the second and the third times by a unanimous vote.

R. No. 179: A resolution to define the duties of the Committee on Revision.

The resolution was read.

Mr. Tourgee moved to amend by striking out the words "or in conflict with the Constitution of the United States."

The amendment prevailed, and the resolution passed the second time.

R. No. 204: A resolution of instruction to the Secretary of this Convention, requiring him to preserve and file in good order with the Secretary of State, at the close of the session,

all the ordinances and resolutions introduced in this Convention.

The resolution was read.

The yeas and nays were ordered, and the resolution was adopted. Yeas 56, nays 32, as follows:

YEAS—Messrs. Allman, Anderson of Madison, Badger, Barrow, Bateman, Bean, Bell, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Clingman, Crosby, Cunningham, Davis, Dixon, Dula, Durham, Faircloth, French, Goodwin, Hampton, Henderson, Hodge, Hoffman, Holton, Horton, Kerr, King of Lenoir, Kirby, Love, Lowe, Mannix, Massey, McCanless, McDonald, Munden, Neal, Nowell, Page, Rumley, Scott of Jones, Smythe, Thorne, Tourgee, Vaughan, Watts, Wheeler, Wilcox, Wilson and Woodfin—56.

NAYS—Messrs. Allison, Anderson of Clay, Bennett, Bingham, Carter, Coleman, Everett, Faison, Farrior, Green, Harrington, Hassell, Jones of Caldwell, McCorkle, McEachin, Morehead, Motz, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Scott of Onslow, Shober, Sinclair, Spake, Stallings, Summers and Turner—32.

The following delegates were paired off:

Messrs. Avery, Barringer, Bunn, Byrd, Cowell, Dobson, Dockery, George, Grantham, Hinnant, Jarvis, Jones of Yadkin, Jordan, King of Pitt, Lehman, Mabson, Manning of New Hanover, Marshall, McCabe, O'Hara, Roberts of Gates, Shepherd, Strowd, Taylor, Withers and Young.

O. No. 201: An ordinance to provide for the payment of the mileage and *per diem* of the officers, members and employees of this Convention.

The ordinance was read the second time.

Mr. Robbins moved to postpone the further consideration of the ordinance, and make it the special order for Tuesday next at 1 o'clock.

Pending the consideration of this motion, on motion of Mr. Durham, the Convention adjourned until 10 A. M. to-morrow.

FIFTEENTH DAY.

WEDNESDAY, September 22, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Dr. Kerr.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows :

To Mr. Bunn, indefinite, on account of sickness.

To Mr. Byrd, for to-day, on account of sickness.

The Chair designated Mr. Patterson as a member of the Committees on Municipal Corporations, on a Preamble and Bill of Rights, and on Miscellaneous Provisions.

Reports from Standing Committees were submitted as follows :

From the Committee on Revenue, Taxation and the Public Debt :

By Mr. Durham, O. No. 206 : An ordinance to exempt certain personal property from taxation ; with a recommendation that it do not pass.

O. No. 136 : An ordinance to amend sections 1 and 2, article 5, of the Constitution ; with a recommendation that it do not pass.

O. No. 195 : An ordinance to provide for the working of public roads by taxation ; with a recommendation that it do not pass.

O. No. 196 : An ordinance to amend section 7, article 6, of the Constitution to prevent the Township Board of Trustee assessing their own property ; with a recommendation that it do not pass.

From the Committee on the Judicial Department :

By Mr. Bennett, O. No. 187 : An ordinance proposing amendment to article 4, section 14, of the Constitution, with a recommendation that the accompanying substitute requiring

the Judges of the Superior Court to reside in the Districts for which they are chosen, and providing for rotation, be adopted.

The following ordinances and resolutions were introduced, read and passed the first time, and referred, or otherwise disposed of, as follows :

By Mr. Coleman : An ordinance to amend section 7 of the 14th article of the Constitution, by striking out the word "or" in the last line but one, and adding to the section the words, " Trustees of the University, or any person holding any office or place under this State to which no compensation is attached." To the Committee on Suffrage and Eligibility.

By Mr. Coleman : An ordinance to amend article 6, of the Constitution, by requiring six months' residence in the county as a qualification for an elector ; and rendering ineligible to office persons who deny the being of Almighty God ; and disfranchising persons convicted of infamous crimes, or of corruption or malpractice in office. To the Committee on Suffrage and Eligibility.

By Mr. Sinclair : An ordinance to amend section 10, article 11, of the Constitution, relative to the care of the deaf mutes, the blind, and the insane of the State. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. Bennett : An ordinance to amend article 5 of the Constitution so as to exempt from taxation articles manufactured of products of this State. To the Committee on Revenue, Taxation and Public Debt.

An ordinance to amend article 2, of the Constitution, by adding an additional section thereto, providing that no Convention or General Assembly of this State shall act upon any amendment of the Constitution of the United States proposed by Congress to the several States, unless such Convention or General Assembly shall have been elected after such amendment is submitted. To the Committee on the Legislative Department.

By Mr. Munden : An ordinance to amend article 5 of the Constitution, so as to confine the State and county capitation

tax solely to the purposes of education. To the Committee on Revenue, Taxation and the Public Debt.

By Mr. Manning, of New Hanover: A resolution to adjourn *sine die*. Laid over under the rules.

The consideration of the unfinished business of yesterday being in order, the Convention proceeded to consider O. No. 201: An ordinance to provide for the payment of the mileage and *per diem* of the officers, members and employees of this Convention.

Mr. Robbins, by leave, withdrew the pending motion to postpone, heretofore made by himself.

Mr. Withers offered a substitute for section 1 of the ordinance, fixing the *per diem* of the President at six dollars; the Principal and Assistant Secretaries each at six dollars; the Enrolling Clerks each at five dollars; the members each at four dollars; the Sergeant-at-arms and Doorkeepers each at five dollars, and the Pages at one dollar; and fixing the mileage at the rate of ten cents.

Pending its consideration, Mr. Durham called the previous question.

The yeas and nays were ordered, and the call sustained, yeas 75, nays 18, as follows:

YEAS.—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Badger, Barrow, Bateman, Bean, Bell, Bennett, Bingham, Black, Bliven, Blocker, Buxton, Carter, Chamberlain, Clingman, Coleman, Cowell, Crosby, Cunningham, Dixon, Dula, Durham, Everett, Faircloth, Faison, Farrior, George, Goodwin, Green, Hampton, Harrington, Hassell, Henderson, Hoffman, Holton, Horton, Jones of Caldwell, Justice, King of Lenoir, Love, Lowe, McCanless, McCorkle, McEachin, Morehead, Motz, Munden, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Thorne, Turner, Vaughan, Watts, Wilcox, Wilson, Withers and Woodfin—75.

NAYS.—Messrs. Bowman, Boyd, Bullock, Bryan, Cary,

Davis, French, Grantham, Hinnant, Hodge, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Page, Smythe and Wheeler—18.

The following delegates were paired off:

Messrs. Albertson, Avery, Barringer, Bunn, Byrd, Dobson, Dockery, Jarvis, Jones of Yadkin, Jordan, Kerr, King of Pitt, Kirby, Lehman, Mabson, Manning of Chatham, Marshall, O'Hara, Scott of Jones, Shepherd, Strowd, Taylor and Young.

The question recurred on the adoption of the substitute.

The yeas and nays were ordered, and the substitute was adopted. Yeas 72, nays 22, as follows:

YEAS—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Bateman, Bean, Bennett, Bingham, Blocker, Bowman, Buxton, Bryan, Carter, Clingman, Coleman, Cowell, Cunningham, Dula, Durham, Everett, Faircloth, Faison, Farrior, French, George, Grantham, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hoffman, Holton, Jones of Caldwell, King of Lenoir, Love, Lowe, Manning of New Hanover, Massey, McCanless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Thorne, Turner, Vaughan, Watts, Wilcox, Wilson, Withers and Woodfin.

NAYS—Messrs. Badger, Barrow, Bell, Bliven, Boyd, Bullock, Cary, Chamberlain, Crosby, Davis, Dixon, Goodwin, Hodge, Horton, Justice, Mannix, McCabe, McDonald, Munden, Page, Smythe and Wheeler.

The following delegates were paired off:

Messrs. Albertson, Avery, Barringer, Bunn, Byrd, Cooper, Dobson, Dockery, Jarvis, Jones of Yadkin, Jordan, Kerr, King of Pitt, Kirby, Lehman, Mabson, Manning of Chatham, Marshall, O'Hara, Scott of Jones, Shepherd, Strowd, Taylor and Young.

The ordinance then passed the second time. Yeas 77, nays 20, as follows:

YEAS—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Barrow, Bateman, Bean, Bennett, Bingham, Blocker, Bowman, Bullock, Buxton, Carter, Clingman, Coleman, Cowell, Cunningham, Dula, Durham, Everett, Faircloth, Faison, Farrior, French, George, Grant-ham, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hoffman, Holton, Horton, Jones of Caldwell, Justice, King of Lenoir, Love, Lowe, Manning of New Hanover, Marshall, Massey, McCanless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Thorne, Turner, Vaughan, Watts, Wilcox, Wilson, Withers and Woodfin.

NAYS—Messrs. Badger, Bell, Bliven, Boyd, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Goodwin, Hodge, Man-nix, McCabe, McDonald, Munden, Page, Smythe, Tourgee and Wheeler.

The following delegates were paired:

Messrs. Albertson, Avery, Barringer, Bunn, Byrd, Dobson, Dockery, Jarvis, Jones of Yadkin, Jordan, Kerr, King of Pitt, Kirby, Lehman, Mabson, Manning of Chatham, O'Hara, Scott of Jones, Shepherd, Strowd, Taylor and Young.

Mr. Durham moved to suspend the rules and put the ordinance on its third reading.

The motion prevailed, and the ordinance was read and passed the third time.

The consideration of general orders being in order, the Convention proceeded to the consideration of R. No. 179: Resolution to define the duties of the Committee on Revision.

The resolution was read and passed the third time.

The following ordinance, reported as correctly enrolled by the Committee on Enrolled Bills, was duly ratified:

An ordinance to provide for the payment of the mileage and

per diem of the officers, members and employees of this Convention.

The Convention next entered upon the consideration of O. No. 129: An ordinance to amend article four of the Constitution.

The ordinance was read the third time.

Mr. Avery offered the following substitute:

“The terms of the Supreme Court shall be held in the city of Raleigh, as heretofore, until otherwise provided by the General Assembly.”

Pending its consideration, Mr. Durham called the previous question. The call was sustained.

The yeas and nays were ordered, and the substitute was adopted. Yeas 54, nays 36, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Badger, Barrow, Bingham, Bowman, Carter, Clingman, Coleman, Cowell, Dula, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hoffman, Horton, Jones of Caldwell, Justice, Love, McCorkle, McEachin, Morehead, Munden, Neal, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shoher, Sinclair, Singeltary, Spake, Stallings, Summers, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers and Woodfin.

NAYS—Messrs. Bateman, Bean, Bell, Bennett, Bliven, Blocker, Boyd, Bullock, Buxton, Bryan, Cary, Crosby, Cunningham, Davis, Dixon, Faircloth, Goodwin, Grantham, Hinnant, Hodge, Holton, Kerr, King of Lenoir, Lowe, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Motz, Nowell, Page, Price, Smythe and Thorne.

The following delegates were paired off:

Messrs. Albertson, Avery, Barringer, Bunn, Byrd, Dobson, Dockery, Jarvis, Jones of Yadkin, Jordan, Kerr, King of

Pitt, Kirby, Lehman, Manning of Chatham, Marshall, O'Hara, Scott of Jones, Shepherd, Strowd, Taylor and Young.

Mr. Chamberlain was by general consent excused from voting.

Mr. Durham then demanded the previous question on the passage of the ordinance the third time.

The call was sustained, and the ordinance was read and passed the third time, yeas 53, nays 37, as follows :

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Badger, Barrow, Bingham, Bowman, Clingman, Coleman, Cowell, Dula, Durham, Everett, Faison, Farrior, George, Green, Hampton, Harrington, Hassell, Henderson, Hoffman, Horton, Jones of Caldwell, Love, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shoher, Sinclair, Singeltary, Spake, Stallings, Summers, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers and Woodfin.

NAYS—Messrs. Bateman, Bean, Bell, Bennett, Bliven, Blocker, Boyd, Bullock, Buxton, Bryan, Cary, Crosby, Cunningham, Davis, Dixon, Fairecloth, French, Goodwin, Grantham, Hinnant, Hodge, Holton, King of Lenoir, Lowe, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Motz, Munden, Nowell, Page, Smythe, Thorne and Tourgee.

The following delegates were paired :

Messrs. Albertson, Avery, Barringer, Bunn, Byrd, Dobson, Dockery, Jarvis, Jones of Yadkin, Jordan, Kerr, King of Pitt, Kirby, Lehman, Mabson, Manning of Chatham, Marshall, O'Hara, Scott of Jones, Shepherd, Strowd, Taylor and Young.

At 12 M., the Chair announced that the hour had arrived for the special order, to-wit : O. No. 17 : An ordinance to remove the disabilities of William W. Holden.

The ordinance was read the second time.

Mr. Avery offered a substitute, and moved that it, together

with the ordinance, be referred to the Committee on the Executive Department.

The substitute reads as follows :

“ *Be it resolved by the people of North Carolina in Convention assembled, That no person, who has been or hereafter may be convicted on a trial of impeachment, shall be pardoned unless a bill to pardon such person shall have been agreed to by a majority of the whole number of members of each House respectively of the General Assembly, nor shall any person so convicted, be so pardoned until five years shall have elapsed after such conviction.*”

Pending the consideration of this substitute, on motion, the Convention adjourned until 10 A. M. to-morrow.

SIXTEENTH DAY.

THURSDAY, September 23, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by the Rev. Dr. M. M. Marshall.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows :

To Mr. Hoffman, until Tuesday next ;

To Mr. French, until Monday next ;

To Mr. Strowd, until Tuesday next.

Mr. French and Mr. Strowd paired off until Tuesday morning.

Reports from Standing Committees were submitted, as follows :

From the Committee on Revision :

By Mr. Reid, O. No. 193: An ordinance to submit to the people the amendments to the Constitution adopted by this Convention, with an accompanying substitute.

From the Committee on the Legislative Department :

By Mr. Clingman, O. No. 225: An ordinance to amend article 3 of the Constitution, with an accompanying substitute.

A substitute for O. No. 151: An ordinance to amend section 25, article 2, of the Constitution ; and O. No. 202: An ordinance to amend section 25, article 2, of the Constitution.

From the Committee on Municipal Corporations :

By Mr. Shepherd, R. No. 128: Resolution declaring that article 7 of the Constitution ought to be abrogated, with a recommendation that it do not pass.

O. No. 214: An ordinance to amend section 6, article 12, of the Constitution, with a recommendation that it do not pass.

The following ordinances were introduced, read and passed the first time, and referred or otherwise disposed of, as follows :

By Mr. Stallings: An ordinance to amend section 3, article 5, of the Constitution, in relation to a Department of Agriculture, &c., providing for the levy of a special tax on dogs to and in the support of the Department of Agriculture, Immigration and Statistics, and for the protection of sheep husbandry. To the Committee on Revenue, Taxation and the Public Debt.

By Mr. Avery: An ordinance to provide for establishing and working the public roads. To the Committee on Municipal Corporations.

Mr. Reid moved to suspend the rules and place on its second reading O. No. 193: An ordinance to submit to the people the amendments to the Constitution adopted by this Convention.

The ordinance was read.

The question recurred on the adoption of the substitute

proposed by the Committee on Revision, and it was adopted ; and the ordinance, as amended by the substitute, passed the second time.

Mr. Reid moved that the ordinance be printed, and that it be made the special order for Saturday, the 25th inst., at 11 A. M.

The motion to print and make the special order prevailed.

Mr. Manning, of Chatham, from the Committee on Privileges and Elections, submitted a majority report on R. No. 56 : A resolution in relation to the seats of the delegates from Robeson county.

Mr. Chamberlain, from the same committee, submitted a minority report.

Mr. Manning, of Chatham, moved that both reports be printed.

The motion prevailed.

Mr. Buxton moved to postpone the further consideration of the subject, and make it the special order for 12 M., on Saturday, of the present week.

Mr. Manning, of Chatham, moved to amend by striking out "12 M., on Saturday," and inserting "Tuesday, 12 M."

Upon this motion the yeas and nays were ordered, and the amendment to make the ordinance the special order for 12 o'clock, Tuesday, prevailed. Yeas 55, nays 54, as follows :

YEAS--Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts, Wilson and Withers—55.

NAYS.—Messrs. Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Bux-

ton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffinan, Holton, Horton, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Smythe, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young—54.

The following delegates were paired :

Messrs. Albertson, Bunn, Dobson, Jones of Yadkin, Jordan, King of Pitt, Kirby, Scott of Jones, Strowd and Taylor.

The following resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified in open Convention :

Resolution of instruction to the Secretary of the Convention ;

Resolution concerning the Journal ;

Resolution in relation to the funeral expenses of Hon. W. A. Graham.

The unfinished business of yesterday being in order, the Convention entered into the consideration of ordinance 17 : An ordinance to remove the disabilities of William W. Holden.

The question recurred upon Mr. Avery's motion to recommit, which was the pending motion when the Convention adjourned the preceding day.

After several hours discussion of the motion, Mr. Jarvis called the previous question.

Thereupon Mr. Durham moved that the Convention do now adjourn.

The question recurred first upon the motion to adjourn.

The yeas and nays were ordered, and the motion prevailed, yeas 56, nays 50, as follows :

YEAS—Messrs. Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Durham, Faircloth, French, Goodwin, Grant-ham, Hampton, Hinnant, Hodge, Hoffinan, Holton, Horton,

Justice, Kerr, King of Lenoir, Lowe, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Smythe, Spake, Thorne, Tourgee, Vaughan, Wheeler, Wilcox, Wilson, Woodfin and Young—56.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Summers, Turner, Watts and Withers—50.

The following delegates were paired off:

Messrs. Albertson, Bunn, Dobson, Jones of Yadkin, Jordan, King of Pitt, Kirby, Scott of Jones, Strowd and Taylor.

Thereupon the Convention stood adjourned until 10 A. M. to-morrow.

SEVENTEENTH DAY.

FRIDAY, September 24, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by the Rev. C. B. Hassell.

The Journal of yesterday was read and approved.

Mr. Badger moved that the Committee on Contingent Expenses be authorized to employ two servants, at a rate not exceeding two dollars *per diem*, to wait upon the Convention.

The motion prevailed.

Mr. Justice was granted leave of absence until Wednesday next. Mr. Neal was announced as having paired with him until Tuesday next.

Reports from standing committees were submitted as follows :

From the Committee on the Executive Department :

By Mr. Reid : For ordinances and resolutions Nos. 44, 47, 50 and 110, a substitute recommended by a majority of the Committee, proposing to amend section 1, article 3, of the Constitution, so as to abolish the office of Lieutenant Governor, and to change the terms of the Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction and Attorney General, to two years.

By Mr. Munden : A minority report upon the bills above mentioned, recommending that they do not pass, as, in their opinion, no relief or benefit can result to the people from the proposed changes.

From the Executive Committee :

By Mr. Reid : R. No. 51 : Resolution concerning pardoning power in cases of impeachment, with an accompanying substitute ;

R. No. 81 : Resolution instructing the Committee on the Executive Department to amend, make certain and define divers sections of the Constitution, with a request that the Committee be discharged from its further consideration.

R. No. 71 : Resolution to amend article 3, section 1, of the Constitution, abolishing the office of Attorney General, with a recommendation that it do not pass ;

O. No. 149 : An ordinance to reduce the salaries of the executive officers of the State, with a recommendation that it do not pass ;

R. No. 186 : Resolution to fix the salaries of Judges of the Superior Court at two thousand dollars per annum, with a recommendation that it do not pass ;

R. No. 45 : Resolution to alter section 10, article 3, of the Constitution, with an accompanying substitute ;

O. No. 105: An ordinance to revise article 3, section 1, of the Constitution, with a recommendation that it do not pass;

R. No. 46: Resolution to alter section 2, article 3, of the Constitution, with a request that the Committee be discharged from its further consideration;

O. No. 210: An ordinance to amend section 1, article 3, of the Constitution, with a recommendation that it do not pass;

O. No. 43: An ordinance relating to the Governor's occupying the Executive Mansion, with a recommendation that it do not pass.

From the Committee on the Legislative Department:

By Mr. Clingman, O. No. 218: An ordinance to amend section 13, article 2, of the Constitution, prohibiting special legislation, with a recommendation that after being amended by striking out the words "incorporating towns or changing their charters," it do pass;

O. No. 197: An ordinance to amend article 7 of the Constitution, to abolish the registration of electors and to allow electors to vote at any election precinct in the county in which they reside, with a recommendation that it do not pass;

O. No. 212: An ordinance in relation to the establishing of new counties by the General Assembly, to add a new section to Legislative Department; with a recommendation that it do pass;

O. No. 211: An ordinance entitling Bertie county to two members in the House of Representatives of the General Assembly; with a recommendation that it do not pass;

From the Committee on the Judicial Department:

By Mr. Bennett, R. No. 121: Resolution to abrogate and annul sections 15, 16 and 17, of the Constitution; with a recommendation that it do pass.

R. No. 119: Resolution to abrogate and annul section 19, article 4, of the Constitution; with an accompanying substitute.

The following ordinances and resolutions were introduced,

read and passed the first time, and referred or otherwise disposed of, as follows :

By Mr. Green: An ordinance to amend article 4, section 29, of the Constitution, so as to provide for the election of the Attorney General and the Solicitors of the several Judicial Districts of this State by joint ballot of both Houses of the General Assembly. To the Committee on the Judicial Department.

By Mr. Avery: An ordinance to amend section 33, article 4, of the Constitution, regarding the jurisdiction of Justices of the Peace, proposing to abrogate and annul the whole section.

The unfinished business of yesterday being in order, the Convention resumed the consideration of O. No. 17: An ordinance to remove the disabilities of William W. Holden.

The pending question was the call for the previous question.

The question was put, and the call was not sustained.

The question then recurred on the motion to re commit the ordinance together with the proposed substitute.

Before a decision of the question was reached, or any amendment made to the substitute, Mr. Avery offered to withdraw the substitute, together with his motion to re-commit.

Mr. Tourgee objected on the ground that the motion and the substitute being in possession of the House, they could not be withdrawn without the leave of the House.

The Chair decided that under Rule IX of the Rules of Order of this Convention, Mr. Avery had a right to withdraw his motion and the substitute proposed by himself, there having been no decision or amendment as to either.

Thereupon, Mr. Tourgee appealed from the decision of the Chair to that of the House.

The question, "Shall the decision of the Chair stand for the decision of the House?" was put; and the yeas and nays being ordered, was decided in the affirmative. Yeas 91, nays 15, as follows :

YEAS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barrow, Bateman, Bell, Bennett, Bingham, Black, Bowman, Bullock, Bunn, Buxton, Byrd, Carter, Chamberlain, Olingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Davis, Dixon, Dockery, Dula, Durham, Everett, Faircloth, Faison, Farrior, George, Goodwin, Grantham, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Holton, Horton, Jarvis, Jones of Caldwell, Jordan, Justice, King of Lenoir, King of Pitt, Kirby, Lehman, Love, Manning of Chatham, Marshall, Massey, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, O'Hara, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Thorne, Turner, Vaughan, Watts, Wilcox, Wilson, Withers and Woodfin.

NAYS—Messrs. Barringer, Bean, Bliven, Bryan, Cary, Hodge, Lowe, Mannix, Manning of New Hanover, McCabe, McCannless, McDonald, Taylor, Tourgee and Wheeler.

The following delegates were paired off:

Messrs. Dobson, French, Jones of Yadkin and Strowd.

Mr. Avery then withdrew his substitute and the motion to recommit.

The question recurred upon the passage of the ordinance the second time.

After several hours debate, Mr. Morehead demanded the previous question.

The call was sustained.

The yeas and nays were ordered, and the ordinance was rejected, yeas 53, nays 56, as follows:

YEAS—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Durham, Faircloth, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Mannix, Manning of New

Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

YAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The following delegates were paired off:

Mr. President with Mr. Barringer;

Mr. Dobson with Mr. Jones, of Yadkin;

Mr. French with Mr. Strowd.

Mr. Blocker was, by general consent, excused from voting.

The Convention then proceeded to the consideration of the special order of the day, to-wit:

O. No. 154: An ordinance to reduce the number of State Senators to twenty-five.

The ordinance was read the second time.

Mr. Badger moved that the ordinance be printed and made the special order for Wednesday next, at 12 M.

The motion prevailed.

Mr. Durham moved that the Convention do now adjourn.

The yeas and nays were ordered, and the motion prevailed.

Yeas 57, nays 53, as follows:

Mr. President, Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Byrd, Cary, Chamberlain, Coleman, Crosby, Cunningham, Davis, Dixon, Dockery, Dula, Durham, Everett, Fairecloth, Goodwin, Grantham, Green, Hodge, Holton, Horton, Justice, King of Lenoir, Lowe, Manning of

Chatham, Manning of New Hanover, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Shober, Smythe, Taylor, Thorne, Tourgee, Vaughan, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Cooper, Cowell, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hinnant, Jarvis, Jones of Caldwell, Jordan, Kerr, King of Pitt, Kirby, Love, Mannix, Marshall, Massey, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Sinclair, Singeltary, Stallings, Summers, Turner, Watts, Wheeler and Withers.

Thereupon the Convention stood adjourned until to-morrow at 10 A. M.

EIGHTEENTH DAY.

SATURDAY, September 25, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Dr. Atkinson.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows:

To Mr. Young two days, including to-day.

To Mr. Faircloth, leave for to day.

To Mr. Lowe, until Wednesday next.

To Mr. Price, indefinite leave.

To Mr. Harrington, until Tuesday next.

To Mr. Boyd, until Wednesday.

The following delegates were paired off :

Mr. Young with Mr. Withers, and Mr. Lowe with Mr. Bowman.

Mr. Mabson was permitted to have his vote recorded in the affirmative on the passage of the ordinance to remove the disabilities of William W. Holden.

Reports from standing committees were submitted as follows :

From the Committee on a Preamble and Bill of Rights :

By Mr. Turner, R. No. 42 : Resolution to rescind section 37, article 1, of the Constitution ; with a recommendation that it do not pass ;

O. No. 108 : An ordinance to amend the 5th section of the 1st article of the Constitution, relating to the allegiance of the people of this State ; with a recommendation that it do not pass ;

O. No. 172 : An ordinance to amend section 10, article 1, of the Constitution ; with a recommendation that it do not pass ;

O. No. 160 : An ordinance to amend section 5, of article 6, of the Constitution ; with a recommendation that it do not pass ;

O. No. 198 : An ordinance to amend section 24, article 1, of the Constitution ; with a recommendation that it do not pass ;

O. No. 200 : An ordinance to amend section 6, article 1, of the Constitution ; with an accompanying substitute.

The following ordinances and resolutions were introduced, read and passed the first time, and referred, or otherwise disposed of, as follows :

By Mr. Manning, of Chatham : A resolution to add three sections to article 4 of the Constitution, concerning the removal of incapable Judges, by a concurrent resolution of two-thirds of both houses of the General Assembly. To the Committee on the Judicial Department.

By Mr. Kerr : An ordinance to prohibit secret political

organizations in North Carolina. To the Committee on a Preamble and Bill of Rights.

By Mr. Spake: An ordinance to amend article 13 of the Constitution, so as to submit the call of a Convention of the people of North Carolina to the qualified voters of the State. To the Committee on Amendments.

By Mr. Turner: An ordinance to prevent the sale of the State's interest in its railroad property. To the Committee on Miscellaneous Provisions.

By Mr. Summers: An ordinance to strike out section 1, article 14, of the Constitution. To the Committee on Miscellaneous Provisions.

By Mr. Page: A resolution abolishing the office of Assistant Enrolling Clerk. Placed on the calendar.

The consideration of General Orders being in order, the Convention entered upon the consideration of ordinance 28: To amend section 3 of the 9th article of the Constitution.

The ordinance was read the second time.

The question recurring upon the substitute proposed by the Committee on Education, it was withdrawn.

Mr. Morehead offered the following amendment, in the nature of a substitute:

“Amend section 2 of the 9th article of the Constitution, by adding the following words, ‘and the children of the white race, and the children of the colored race, shall be taught in separate public schools; but there shall be no discrimination made in favor, or to the prejudice of either race.’”

Mr. Crosby offered the following amendment, in the nature of a proviso:

“*Provided*, That colored children shall have equal advantages with white children in their vicinage, and that all monies raised for school purposes shall be ratiably divided between white and colored children of each race within school ages.”

Pending the consideration of the question, the Chair announced that the hour had arrived for the special order, to-wit:

O. No. 193: An ordinance to submit to the people the amendments to the Constitution adopted by this Convention. The ordinance was read the third time.

Mr. Tourgee offered the following amendment:

“In line 13, 1st section, strike out ‘ratification,’ and insert ‘for the amendments.’ In same line strike out ‘rejection,’ and insert ‘against the amendments.’”

The yeas and nays were ordered, and the amendment was rejected, yeas 49, nays 53, as follows:

YEAS—Messrs. Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Bowman, Blocker, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Goodwin, Grantham, Hampton, Hinnant, Hodge, Holton, Horton, Jordan, Kerr, King of Lenoir, Lehman, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCannless, McDonald, Munden, Nowell, O'Hara, Page, Smythe, Taylor, Thorne, Tourgee, Wilcox and Woodfin—49.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Cooper, Cowell, Cunningham, Everett, Faison, Farrior, George, Green, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Ouslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts and Wilson—53.

The following delegates were paired off:

Messrs. Coleman, Dobson, French, Harrington, Jones of Yadkin, Justice, Lowe, Neal, Price, Scott of Jones, Strowd, Wheeler, Withers and Young.

Mr. Boyd offered the following amendment :

“Strike out ‘as a whole’ in line 5, and insert after ‘six’ in line 8, that ‘each amendment proposed shall be submitted as a separate proposition and voted upon in that manner.’”

Pending its consideration, Mr. Manning, of Chatham, called the previous question.

The call was sustained.

The question first recurred upon the amendment proposed by Mr. Boyd.

The yeas and nays were ordered, and it was rejected, yeas 41, nays 60, as follows :

YEAS—Messrs. Barrow, Bean, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Bryan, Chamberlain, Davis, Dixon, Dockery, Dula, Goodwin, Grantham, Hampton, Hinnant, Hodge, Holton, Horton, Jordan, Kerr, King of Lenoir, Lehman, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O’Hara, Smythe, Taylor, Thorne, Tourgee, Wilcox and Woodfin—41.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Bateman, Bell, Bennett, Bingham, Bunn, Buxton, Byrd, Cary, Carter, Clingman, Cooper, Cowell, Crosby, Cunningham, Everett, Faison, Farrior, George, Green, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Nicholson, Page, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts and Wilson—60.

The following delegates were paired off :

Messrs. Badger, Coleman, Dobson, Fairecloth, French, Harrington, Jones of Yadkin, Justice, Neal, Price, Scott of Jones, Strowd, Wheeler, Withers and Young.

The question next recurred upon an amendment offered by Mr. Shepherd, by leave of the House.

The amendment reads as follows :

“Strike out all in section 4, beginning with ‘and’ in line 4, down to and including ‘aforesaid’ in line 8th, and insert the following: ‘and the printer to this Convention is hereby directed to print ten thousand copies of said amendments, which shall be forwarded to the Boards of Commissioners of the several counties, in equal proportions, and by them be duly distributed among the people of the counties.’”

The yeas and nays were ordered, and the amendment was rejected. Yeas 20, nays 77, as follows:

YEAS—Messrs. Allison, Allman, Bennett, Bingham, Byrd, Carter, Clingman, Cooper, Cunningham, Farrior, Hassell, Henderson, Jones of Caldwell, King of Pitt, Love, Patterson, Rumley, Shepherd, Shober and Wilson.

NAYS—Messrs. Albertson, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bateman, Bean, Bell, Bliven, Blocker, Bowman, Boyd, Bullock, Bunn, Buxton, Bryan, Cary, Chamberlain, Cowell, Crosby, Davis, Dixon, Dula, Durham, Everett, Faison, George, Goodwin, Grantham, Green, Hampton, Hinnant, Hodge, Holton, Horton, Jarvis, Jordan, King of Lenoir, Kirby, Lehman, Mabson, Mannix, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCanless, McCorkle, Morehead, Motz, Munden, Nicholson, Nowell, O’Hara, Page, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Sinclair, Singeltary, Smythe, Spake, Stallings, Summers, Taylor, Thorne, Tourgee, Vaughan, Watts, Wilcox, Woodfin.

The following delegates were paired off:

Messrs. Dobson, Faircloth, French, Harrington, Jones of Yadkin, Justice, Lowe, Neal, Price, Scott of Jones, Strowd, Wheeler, Withers and Young.

The question then recurred upon a second amendment offered by Mr. Boyd, by leave of the House.

The amendment is as follows:

“Strike out in line 5, the words ‘as a whole,’ and add after

the word 'seventy-six,' in line 8th, the words 'the amendments proposed to each article of the Constitution shall be classified, and each class submitted as a separate proposition, and voted upon in that manner.'"

The yeas and nays were ordered, and the amendment was rejected. Yeas 49, nays 55, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Goodwin, Grantham, Hampton, Hinnant, Hodge, Holton, Horton, Jordan, Kerr, King of Lenoir, Lehman, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Smythe, Taylor, Thorne, Tourgee, Wilcox and Woodfin.

NAYS—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Cooper, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Nicholson, Page, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates were paired off:

Messrs. Coleman, Dobson, Faircloth, French, Harrington, Jones of Yadkin, Justice, Lowe, Neal, Price, Scott of Jones, Strowd, Wheeler, Withers and Young.

The question then recurred upon the passage of the ordinance the third time.

The yeas and nays were ordered, and the ordinance passed its third and last reading, yeas 93, nays 8, as follows:

YEAS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Barrow, Bateman, Bean, Bell, Bennett, Bingham, Black, Bliven, Blocker,

Bowman, Boyd, Bullock, Bunn, Buxton, Bryan, Byrd, Cary, Carter, Chamberlain, Clingman, Cooper, Cowell, Crosby, Cunningham, Davis, Dockery, Dula, Durham, Everett, Faison, Farrior, George, Green, Hampton, Hassell, Henderson, Hinnant, Holton, Horton, Jarvis, Jones of Caldwell, Jordan, Kerr, King of Lenoir, King of Pitt, Kirby, Love, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCanless, McCorkle, McDonald, McEachin, Morehead, Motz, Munden, Nicholson, Nowell, O'Hara, Page, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Canslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Stallings, Summers, Taylor, Thorne, Turner, Vaughan, Watts, Wilcox, Wilson and Woodfin.

NAYS—Messrs. Badger, Dixon, Goodwin, Grantham, Lehman, Mabson, Mannix and McCabe.

The following delegates were paired off:

Messrs. Coleman, Dobson, Faircloth, French, Harrington, Jones of Yadkin, Justice, Lowe, Neal, Price, Scott of Jones, Strowd, Wheeler, Withers and Young.

Mr. Durham asked leave to withdraw his motion to reconsider the vote by which O. No. 208: An ordinance to amend section 12, article 4, of the Constitution, passed its third reading.

Leave was granted, and the motion was withdrawn.

On motion of Mr. Wilcox, the Convention adjourned until 10. A. M. Monday.

NINETEENTH DAY.

MONDAY, September 27, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Dr. Pritchard.

The Journal of Saturday was read and approved.

Leaves of absence were granted as follows :

To Mr. Carter, leave for to-day ;

To Mr. Goodwin, leave until Tuesday ;

To Mr. Durham, leave for to-day ;

To Mr. Wilcox, leave for to-day ;

To Mr. Waddell, Assistant Enrolling Clerk, leave from Saturday, the 18th, to Friday, the 24th inst.

The following ordinances and resolutions were introduced, read and passed the first time, and were referred or otherwise disposed of, as follows :

By Mr. Hodge : An ordinance to amend section 16, article 1, of the Constitution, prohibiting the Legislature from passing any usury law. To the Committee on a Preamble and Bill of Rights.

By Mr. Manning, of Chatham : An ordinance to add a section to article 4 of the Constitution, providing that the amendments to article 4, of the Constitution, shall not vacate any office or term of office now existing and filled or held by virtue of any election or appointment under the existing Constitution and laws. To the Committee on the Judicial Department.

By Mr. Blocker : A resolution to adjourn *sine die* on Monday, the 4th day of October. Placed on the calendar.

Mr. Jarvis offered a resolution to amend Rule XII, of the Rules of Order, by striking out all after the first period and inserting the following :

“ No delegate shall speak more than once and not more than two minutes on the same subject. He shall confine himself to the same question and speak strictly in order. When two or more delegates rise at once, the President shall name the delegate to speak first.”

Mr. Jarvis moved to suspend the rules and put the resolution on its adoption.

The yeas and nays being demanded, the House refused to suspend the rules. Yeas 51, nays 47.

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Clingman, Cowell, Cunningham, Everett, Faison, Farrior, George, Green, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts, Wilson and Withers.

NAYS—Messrs. Albertson, Barringer, Barrow, Bean, Bell, Black, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faireloth, Grantham, Hampton, Hinnant, Hodge, Holton, Horton, Jordan, Kerr, King of Lenoir, Lehman, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Nowell, O'Hara, Page, Smythe, Taylor, Thorne, Tourgee, Wilcox, Woodfin and Young.

The following delegates paired off:

Messrs. Badger, Bateman, Carter, Coleman, Dobson, Durham, French, Goodwin, Harrington, Jones of Yadkin, Justice, Lowe, Neal, Price, Scott of Jones, Strowd, Wheeler and Young.

The resolution was placed on the calendar.

The consideration of the unfinished business of Saturday being in order, the Convention proceeded to the consideration of O. No. 28: An ordinance to amend section three (3) of the ninth article (9) of the Constitution.

The pending question was the amendment proposed by Mr. Crosby.

Mr. Morehead demanded the previous question.

The call was sustained.

The question recurring upon the amendment proposed by Mr. Crosby, it did not prevail.

The question then recurred upon the amendment in the nature of a substitute proposed by Mr. Morehead, and it was adopted.

The ordinance then passed the second time.

On motion, the rules were suspended, and the ordinance put upon its final passage.

The ordinance was read the third time.

Mr. Morehead demanded the previous question.

The call was sustained, and the bill passed the third time.

Yeas 113, nays 3, as follows:

YEAS—Mr. President, Messrs. Albertson, Allison, Allman, Anderson of Clay, Alderson of Madison, Avery, Badger, Barringer, Barrow, Bateman, Bean, Bennett, Bingham, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Bunn, Buxton, Bryan, Byrd, Cary, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Davis, Dixon, Dobson, Dockery, Dula, Durham, Everett, Faircloth, Faison, Farrior, French, George, Grantham, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hodge, Hoffman, Holton, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, King of Pitt, Kirby, Love, Lowe, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCanless, McCorkle, McDonald, McEachin, Morehead, Motz, Munden, Neal, Nicholson, Nowell, O'Hara, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Taylor, Tourgee, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers, Woodfin and Young.

NAYS—Messrs. Bell, Crosby and Thorne.

Ordinances and resolutions on second reading were acted upon as follows:

O. No. 182: An ordinance to amend article 9, sections 4 and 7, of the Constitution.

The ordinance was read the second time, and, on motion of Mr. Robbins, laid upon the table.

O. No. 175: An ordinance to amend section 4, article 9, of the Constitution.

The ordinance was read the second time, and, on motion of Mr. Badger, laid upon the table.

O. No. 172: An ordinance to amend section 10, article 1, of the Constitution.

The ordinance was read the second time, and, on motion of Mr. Turner, laid upon the table.

O. No. 160: An ordinance to amend section 5, article 6, of the Constitution.

The ordinance was read the second time, and, on motion of Mr. Manning, of Chatham, laid upon the table.

O. No. 149: An ordinance to reduce the salaries of the executive officers of the State.

The ordinance was read the second time, and, on motion of Mr. Young, laid upon the table.

O. No. 108: An ordinance to amend the 5th section of the 1st article of the Constitution, relating to the allegiance of the people of this State.

The ordinance was read the second time, and, on motion, laid upon the table.

O. No. 105: An ordinance to revise article 3, section 1, of the Constitution.

The ordinance was read the second time, and, on motion of Mr. Munden, laid upon the table.

R. No. 48: A resolution to amend section 29, article 2, of the Constitution.

The resolution was read the second time, and, on motion of Mr. Roberts, of Gates, laid upon the table.

R. No. 46: A resolution to alter section 2, article 3, of the Constitution.

The resolution was read the second time, and, on motion of Mr. Avery, laid upon the table.

O. No. 43: An ordinance relating to the Governor's occupying the Executive Mansion.

The ordinance was read the second time, and, on motion of Mr. Bean, laid upon the table.

R. No. 42: A resolution to rescind section 37, article 1, of the Constitution.

The resolution was read the second time, and, on motion of Mr. Morehead, laid upon the table.

O. No. 143: An ordinance to amend article 9 of the Constitution, providing for the preservation and investment of public school funds.

The ordinance was read the second time.

The question recurred on the adoption of the substitute proposed by the Committee on Education, and it was adopted.

Mr. Tourgee offered to amend by striking out "and for other purposes of public education," in the 17th and 18th lines, and inserting "and for no other uses or purposes whatsoever."

The amendment prevailed, and the ordinance passed the second time.

O. No. 187: An ordinance to amend article 4, section 14, of the Constitution, requiring Judges of the Superior Courts to reside in the districts for which they are chosen; providing for rotation in office, and investing the General Assembly with power to remove a Judge of the Supreme or Superior Court for incapacity.

The ordinance was read the second time.

The question recurred on the adoption of the substitute proposed by the Committee on the Judiciary. The substitute provides: "That section 14, article 4, of the Constitution, shall read as follows:

'That every Judge of the Superior Court shall reside in the district for which he is elected. The Judges shall preside in the Courts of the different districts successively, but no Judge shall hold the Courts in the same district oftener than once in

four years, but in case of the protracted illness of the Judge assigned to preside in any district, or of any other unavoidable accident to him, by reason of which he shall become unable to preside, the Governor may require any Judge to hold one or more specified terms in said district, in lieu of the Judge assigned to hold the Courts of said district.’”

The substitute was read and adopted.

Mr. Buxton moved to amend by striking out in the 8th line the words “four years” and inserting “three years.”

The yeas and nays were ordered, and the amendment did not prevail. Yeas 40, nays 58, as follows:

YEAS—Messrs. Albertson, Barringer, Barrow, Bean, Beck, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Crosby, Davis, Dixon, Dockery, Dula, Hinnant, Hodge, Holton, Horton, Jordan, Kerr, King of Lenoir, Lehman, Mabson, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O’Hara, Page, Smythe, Taylor, Thorne, Tourgee, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bell, Bennett, Bingham, Bunn, Byrd, Chamberlain, Clingman, Cooper, Cowell, Cunningham, Everett, Fairecloth, Faison, Farnior, George, Grantham, Green, Hampton, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Mannix, Manning of Chatham, Marshall, McCanless, McCorkle, McEachin, Morehead, Motz, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The following delegates paired off:

Messrs. Badger, Bateman, Carter, Coleman, Dobson, Durham, French, Goodwin, Harrington, Jones of Yadkin, Justice, Lowe, Neal, Price, Scott of Jones, Strowd and Wheeler.

Mr. Tourgee offered to amend by striking out in the 10th

line the words "any other unavoidable accident," and inserting instead the words "for any other sufficient reason."

Pending its consideration, Mr. Robbins called the previous question.

The call was sustained, and the main question was ordered.

The question recurring first upon the amendment proposed by Mr. Tourgee, and the yeas and nays being ordered, the amendment was rejected, yeas 39, nays 54, as follows:

YEAS—Messrs. Albertson, Barringer, Barrow, Bean, Black, Bliven, Blocker, Buxton, Bryan, Cary, Davis, Dixon, Dockery, Dula, Faireloth, Grantham, Hampton, Hinnant, Holton, Horton, Jordan, Kerr, King of Lenoir, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, O'Hara, Page, Smythe, Taylor, Thorne, Tourgee, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bowman, Bunn, Byrd, Chamberlain, Clingman, Cooper, Cowell, Crosby, Cunningham, Everett, Faison, Farrior, George, Green, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Love, Mannix, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts and Withers.

The following delegates were paired off:

Messrs. Badger, Bateman, Carter, Coleman, Dobson, Durham, French, Goodwin, Harrington, Jones of Yadkin, Justice, Lowe, Neal, Price, Scott of Jones, Strowd and Wheeler.

The question next recurred upon the following amendment, which, by leave of the House, was proposed by Mr. Buxton:

"The General Assembly shall not vacate the office or term of office now existing, of any of the Judges, until the present term therein shall expire or vacancy occur."

The yeas and nays were ordered, and the amendment was rejected. Yeas 43, nays 52, as follows:

YEAS—Messrs. Albertson, Barringer, Barrow, Bean, Black, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Crosby, Davis, Dixon, Dula, Faircloth, Grantham, Hampton, Hinnant, Hodge, Holton, Horton, Jordan, Kerr, King of Le-noir, Lehman, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Smythe, Taylor, Thorne, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Chamberlain, Clingman, Cooper, Cowell, Cunningham, Everett, Faison, Farrior, George, Green, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts and Withers.

The following delegates paired off:

Messrs. Badger, Bateman, Carter, Coleman, Dobson, Durham, French, Goodwin, Harrington, Jones of Yadkin, Justice, Lowe, Neal, Price, Scott of Jones, Strowd, Wheeler and Wilson.

The ordinance then passed the second time.

The Convention adjourned until 10 A. M. to-morrow.

TWENTIETH DAY.

TUESDAY, September 28, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Mr. Spake.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows :

To Mr. McCanless until Monday next ;

To Messrs. Hassell and Black from Friday until Wednesday next.

Mr. McCanless was announced as having paired with Mr. Byrd ; and Mr. Hassell with Mr. Black.

Reports from Standing Committees were submitted, as follows :

From the Committee on the Judicial Department :

By Mr. Bennett, R. No. 98 : A resolution to abrogate and annul section 33, article 4, of the Constitution ; with an accompanying substitute.

O. No. 244 : An ordinance to add a section to article 4, of the Constitution ; with an accompanying substitute.

From the Committee on Miscellaneous Provisions :

By Mr. Singeltary, O. No. 106 : An ordinance to amend section 6, article 10, of the Constitution ; with an accompanying substitute.

Mr. Roberts, of Gates, offered a resolution providing that no delegate be allowed a longer time than five minutes on a question of personal privilege ; and moved to suspend the rules in order to put the resolution on its adoption.

The Convention refused to suspend the rules.

Mr. Turner offered a resolution requiring the Treasurer of the State to transmit to this Convention, for inspection, a bond issued in 1862-'63 in aid of the Wilmington, Charlotte and Rutherford Railroad.

On motion of Mr. Turner, the rules were suspended, and the resolution adopted.

The following ordinances and resolutions were introduced, read and passed the first time, and referred. or otherwise disposed of, as follows :

By Mr. George : An ordinance to amend section 2, article 6, of the Constitution, by striking out all after the word

“registration” in the third line of the same. To the Committee on Suffrage and Eligibility to Office.

By Mr. Cooper: An ordinance to amend article 2, section 7, of the Constitution, by striking out the words, “and Indians not taxed.” To the Committee on the Legislative Department.

An ordinance to amend article 11, by adding an additional section, providing for the farming out of convicts by the General Assembly. To the Committee on Punishments, Penal Institutions and Public Charities.

By Mr. Smythe: An ordinance to provide for the compiling of mortuary and birth statistics. To the Committee on Municipal Corporations.

The consideration of general orders being in order, the Convention proceeded to consider ordinances on their third reading, as follows:

O. No. 143: An ordinance to amend article 9 of the Constitution, providing for the preservation and investment of public school funds.

The ordinance was read the third time.

Mr. Bowman moved to lay the ordinance on the table.

The yeas and nays were ordered, and the motion to table did not prevail. Yeas 23, nays 83, as follows:

YEAS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bingham, Bowman, Bryan, Byrd, Cooper, Dockery, Dula, Everett, Grantham, Hampton, Hoffman, Jordan, Lehman, Mannix, McCanless, Spake, Watts, Wheeler, Wilson and Woodfin.

NAYS—Messrs. Albertson, Allison, Badger, Barringer, Barrow, Bateman, Bean, Bell, Bennett, Black, Bliven, Blocker, Bullock, Bunn, Buxton, Cary, Carter, Chamberlain, Clingman, Cowell, Cunningham, Davis, Dixon, Durham, Faircloth, Faison, Farrior, George, Goodwin, Green, Harrington, Hassell, Henderson, Hinnant, Hodge, Holton, Horton, Jarvis, Jones of Caldwell, King of Lenoir, King of Pitt, Kirby, Love, Mabson, Manning of Chatham, Manning of New Han-

over, Marshall, Massey, McCabe, McCorkle, McDonald, McEachin, Morehead, Motz, Munden, Nicholson, Nowell, O'Hara, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Stallings, Summers, Taylor, Thorne, Tourgee, Turner, Vaughan, Wilcox and Withers.

The following delegates paired off:

Messrs. Coleman, Dobson, French, Jones of Yadkin, Justice, Lowe, Neal and Strowd.

Mr. Avery offered to amend by striking out all after the word "estrays" in line 3, section 2, down to and including the word "State" in line 6.

Pending its consideration, Mr. McCabe called the previous question.

The call was sustained, and the main question was ordered.

The question recurred first on the amendment proposed by Mr. Avery, and it was not adopted.

The question then recurred upon the passage of the ordinance on its third and final reading.

The yeas and nays were ordered, and it passed the third time, yeas 82, nays 27, as follows:

YEAS—Messrs. Albertson, Allison, Avery, Badger, Barringer, Barrow, Bateman, Bean, Bell, Bennett, Black, Bliven, Blocker, Bullock, Bunn, Cary, Carter, Cowell, Crosby, Cunningham, Davis, Dixon, Durham, Faircloth, Faison, Farrior, George, Goodwin, Green, Hassell, Henderson, Hinnant, Hodge, Holton, Horton, Jarvis, Jones of Caldwell, King of Lenoir, King of Pitt, Kirby, Love, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCorkle, McDonald, McEachin, Morehead, Motz, Munden, Nicholson, Nowell, O'Hara, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Stallings, Summers, Taylor, Thorne, Turner, Vaughan, Wilcox, Withers and Young.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bingham, Bowman, Bryan, Byrd, Chamberlain, Clingman, Cooper, Dockery, Dula, Everett, Grantham, Hampton, Harrington, Hoffman, Jordan, Kerr, Lehman, Mannix, McCanless, Spake, Watts, Wheeler, Wilson and Woodfin.

The following delegates were paired off.

Messrs. Coleman, Dobson, French, Jones of Yadkin, Lowe and Strowd.

Mr. Avery moved to reconsider the vote first had, and postpone that motion, and make it the special order for Friday, at 12 M.

The motion prevailed.

O. No. 187: An ordinance to amend article 4, section 14, of the Constitution.

The ordinance was read the third time.

Pending its consideration, Mr. Robbins called the previous question, and the main question was ordered, and the ordinance passed the third time.

Ordinances on second reading were acted upon as follows:

O. No. 195: An ordinance to provide for the working of public roads by taxation.

The ordinance was read the second time.

Mr. Badger moved that the ordinance be printed, and that the further consideration thereof be postponed and made the special order for Friday next at 1 P. M.

The motion prevailed.

R. No. 196: A resolution to amend section 7, article 6, of the Constitution, to prevent the Township Board of Trustees assessing their own property.

The resolution was read the second time, and, on motion of Mr. Manning, of Chatham, laid upon the table.

O. No. 197: An ordinance to amend article 7, of the Constitution, to abolish the registration of electors and to allow electors to vote at any election precinct in the county in which they reside.

The ordinance was read the second time, and, on motion of Mr. Bowman, laid upon the table.

Mr. Bowman moved to reconsider the vote just had.

The motion prevailed, and, on motion, the ordinance was re-committed to the Committee on Suffrage and Eligibility to Office.

O. No. 198: An ordinance to amend section 24, article 1, of the Constitution.

The ordinance was read the second time, and, on motion of Mr. Barringer, re-committed to the Committee on a Preamble and Bill of Rights.

At 12 M., the Chair announced that the hour had arrived for the special order, to wit:

R. No. 56: A resolution to declare R. M. Norment and Neil McNeil, the legally elected delegates from Robeson county to this Convention, and to declare vacant the seats of Duncan Sinclair and C. A. McEachin, together with the report of the Select Committee thereon.

Mr. Jarvis moved that the resolution and the majority and minority reports be re-committed to the Committee on Privileges and Elections, with instructions that the committee adopt rules and regulations for its government in deciding on all cases of contested elections that may be referred to it; and that said committee is hereby empowered, in the investigation of any such contest, to send for persons and papers, and to appoint one or more commissioners to take testimony, who shall have the power to administer oaths; and that the acting chairman of said committee in any such investigation, shall have power to administer oaths; and that the refusal by any person, appearing as a witness before said committee or before any commissioner appointed by said committee, to answer any question propounded in the course of any investigation had by virtue hereof, shall be a contempt of this Convention.

Pending the consideration of this motion to re-commit, Mr. Barringer offered the following:

Resolved, That the seats of the sitting members, from the county of Robeson, are declared vacant until the facts of the contest are investigated ; and the Convention will take a recess on the passage of this resolution, to such time as will enable both parties to the contest, to take testimony, and try the same before the Convention on its re-assembling, or any committee it may appoint."

Mr. Mannix offered the following :

Resolved, That R. M. Norment, one of the contestants from Robeson county, be permitted to address the Convention in relation to the contested election from that county."

Pending the consideration of the question, Mr. Badger moved that the Convention do now adjourn.

The yeas and nays being demanded, the Convention refused to adjourn, yeas 48, nays 59, as follows :

YEAS—Messrs. Badger, Barringer, Bateman, Bean, Bell, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Cresby, Davis, Dockery, Dula, Faircloth, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Jordan, Kerr, King of Lenoir, Lehman, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Woodfin and Young.

NAYS.—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barrow, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Cooper, Cowell, Cunningham, Dixon, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Horton, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Robeats of Gates, Rumley, Scott of Onslow, Shepherd, Shober,

Sinclair, Singeltary, Spake, Stallings, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The following delegates were paired off:

Messrs. Albertson, Coleman, Dobson, French, Jones of Yadkin, Lowe and Strowd.

Mr. Jarvis then demanded the previous question.

The yeas and nays were ordered, and the call was sustained, yeas 56, nays 42, as follows:

YEAS.—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Cooper, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Withers.

NAYS.—Messrs. Badger, Barringer, Barrow, Bell, Black, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dula, Faircloth, Goodwin, Grant-ham, Hampton, Hinnant, Hodge, Holton, Horton, Jordan, King of Lenoir, Lehman, Mabson, Mannix, Massey, McCabe, McAnless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee and Woodfin.

The following delegates were paired off.

Messrs. Albertson, Allison, Coleman, Dobson, Jones of Yadkin, Lowe, Wheeler and Wilson.

During this vote, and before the result was announced, Mr. Barringer objected to Mr. Sinclair and Mr. McEachin being allowed to vote on this question.

The Chair decided that the delegates named were entitled to vote.

Mr. Badger moved that this Convention do now adjourn.

Objection was raised that this motion was out of order, the previous question having been ordered.

The Chair decided that the motion to adjourn was in order.

The yeas and nays were ordered, and the Convention refused to adjourn. Yeas 46, nays 56, as follows:

YEAS—Messrs. Badger, Barringer, Barrow, Bateman, Bean, Bell, Bowman, Bullock, Buxton, Bryan, Byrd, Cary, Chamberlain, Cooper, Crosby, Davis, Dixon, Dockery, Faircloth, Goodwin, Grantham, Hampton, Hinnant, Hodge, Holton, Horton, Jordan, King of Lenoir, Lehman, Mabson, Mannix, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Spake, Taylor, Thorne, Tourgee, Wilcox and Woodfin.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Blocker, Bunn, Carter, Clingman, Cowell, Cunningham, Dula, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hoffman, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, Massey, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Summers, Turner, Vaughan, Watts and Withers.

The following delegates paired off:

Messrs. Albertson, Allison, Coleman, Dobson, Jones of Yadkin, Lowe, Strowd, Wheeler and Wilson.

The Chair then proceeded to put the question on the motion to re-commit, made by Mr. Jarvis.

Mr. Tourgee objected that the question should first be put upon the resolution offered by Mr. Barringer, and then upon the motion to re-commit.

The Chair decided that the motion to re-commit was the first in order.

Mr. Tourgee thereupon appealed from the decision of the Chair to that of the House.

The yeas and nays being ordered, the Chair put the question, "Shall the decision of the Chair stand for the decision of the House?"

It was decided in the affirmative, yeas 54, nays 40, as follows :

YEAS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bowman, Bunn, Byrd, Carter, Chamberlain, Clingman, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Summers, Turner, Watts and Withers.

NAYS—Messrs. Barringer, Bateman, Bean, Bell, Black, Bliven, Blocker, Bullock, Bryan, Cary, Crosby, Davis, Dixon, Dockery, Fairecloth, Goodwin, Grantham, Hampton, Hinnant, Hodge, Holton, Horton, King of Lenoir, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tonrgee, Woodfin and Young.

The following delegates were paired off:

Messrs. Albertson, Allison, Badger, Coleman, Dobson, French, Jones of Yadkin, Lowe, Spake, Strowd, Vaughan, Wheeler, Wilcox and Wilson

Mr. Bowman then moved that the Convention do now adjourn, and demanded the yeas and nays on his motion.

The yeas and nays were ordered, and the Convention refused to adjourn, yeas 2, nays 51, as follows:

YEAS—Messrs. Hinnant and Horton.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Clingman, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson,

Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Turner Watts and Withers.

The following delegates were paired off:

Messrs. Albertson, Allison, Badger, Carter, Clingman, Dobson, Jones of Yadkin, Lowe, Spake, Vaughan, Wheeler, Wilcox and Wilson.

The question recurred upon the motion made by Mr. Jarvis to re-commit the resolution, together with the reports of the majority and minority of the Select Committee, to the Committee on Privileges and Elections.

The motion prevailed.

The Convention then adjourned until 10 A. M. to-morrow.

TWENTY-FIRST DAY.

WEDNESDAY, September 29, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by the Rev. Mr. Hassell.

The Journal of yesterday was read and approved.

The following delegates were, on motion, permitted to record their votes in the affirmative on the vote by which O. No. 28: An ordinance to amend section 3 of the 9th article of the Constitution, prohibiting mixed schools, passed its third and last reading, to-wit:

Messrs. Boyd, Scott of Jones, Lowe, Coleman, Justice, Neal, French, Strowd, Durham, Price, Carter, Bateman, Harrington and Hoffman.

Leave of absence was granted Messrs. King, of Lenoir, and Lehman, until Wednesday next.

Mr. Motz was announced as having paired with Mr. King, of Lenoir.

Mr. Coleman, from the Committee on Punishments, Penal Institutions and Public Charities, submitted a report, with an accompanying substitute for the following ordinances and resolutions :

R. No. 90 : A resolution to strike out the 11th article of the Constitution ;

O. No. 102 : An ordinance to amend section 10, 11th article of the Constitution ;

O. No. 227 : An ordinance to amend section 10, article 11, of the Constitution ;

O. No. 132 : An ordinance to amend section 10, article 11, of the Constitution ;

O. No. 54 : An ordinance to amend section 10 of the 11th article of the Constitution ;

O. No. 132 : An ordinance to amend section 10, of article 11 of the Constitution ;

R. No. 104 : A resolution to amend article 11 of the Constitution ;

O. No. 158 : An ordinance to amend section 7, article 11, of the Constitution ;

O. No. 112 : An ordinance to amend article 11 of the Constitution, in relation to punishments ;

O. No. 53 : An ordinance to amend article 11, section 1, of the Constitution ;

O. No. 52 : An ordinance to amend article 11, section 1, of the Constitution ;

O. No. 135 : An ordinance for farming out or otherwise employing all convicts who are now or may hereafter be sentenced to the penitentiary ;

O. 69 : An ordinance to amend article 11, section 9, of the Constitution ;

Also reported R. No. 73 : A resolution to amend section 1,

article 14, of the Constitution, with a recommendation that it do not pass.

The following ordinances and resolutions were introduced, read and passed the first time, and were referred or otherwise disposed of, as follows:

By Mr. Wilcox: An ordinance providing for a session of the General Assembly every four years. To the Committee on the Legislative Department.

By Mr. Durham: A resolution providing for the printing of all ordinances and resolutions, which have passed their third readings. Adopted.

By Mr. Green: An ordinance to amend an "ordinance to submit amendments of this Constitution to the people," by striking out in section 4, line 5, the words "Governor and Secretary of State," and inserting "President of this Convention. To the Committee on Revision.

By Mr. Bingham: An ordinance to amend article 4, section 35, of the Constitution, by adding after the word "held" in the last line, the words "at the next regular election for members of the General Assembly." To the Committee on the Judicial Department.

An ordinance to amend article 4, section 17, of the Constitution, by adding after the word "law" in the ninth line, the words, "this section shall be in force until otherwise provided by law." To the Committee on the Judicial Department.

Mr. Turner moved to suspend the rules and take up O. No. 200: An ordinance to amend section 6, article 1, providing for the repudiation of the special tax bonds, and to put the same upon its several readings.

The question was put, and the Convention refused to suspend the rules.

The consideration of general orders being in order, the Convention entered upon the consideration of ordinances on second reading, as follows:

O. No. 45: An ordinance to alter section 10, article 3, of the Constitution.

The ordinance was read the second time.

The question recurred on the substitute reported by the Committee on the Executive Department, which substitute reads as follows :

“The Governor shall nominate, and by and with the advice and consent of a majority of the Senators elect, appoint all officers, when offices are established by this Constitution, and whose appointments are not otherwise provided for.”

The substitute was adopted, and the ordinance, as amended, passed the second time.

Ordinances Nos. 44, 47, 50, 86, and 110: Ordinances to amend section 1, article 3, of the Constitution.

The ordinances were read the second time.

The question recurred upon the adoption of the substitute proposed by the majority of the Committee on the Executive Department, which substitute proposes to abolish the office of Lieutenant Governor; to fix the term of office of the Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction and Attorney General, at two years; to render a person elected Governor ineligible to the same office more than four years in succession; to abrogate section 11 of article 3; to devolve upon the President of the Senate the powers, duties and emoluments of the office of Governor, in case said office became vacant by death, resignation or otherwise; and to constitute the Governor, Secretary of State, Treasurer, Auditor, Superintendent of Public Instruction, and Attorney General, a State Board of Education.

The substitute was adopted, and the question recurred upon the passage of the ordinance as amended, on its second reading.

Mr. Buxton moved that the ordinance be considered by sections.

The motion prevailed.

Mr. Tourgee offered to amend the first section as follows:

In line 6, after the word "State," where it first occurs, insert the words "Lieutenant Governor."

The yeas and nays were ordered, and the amendment prevailed. Yeas 57, nays 56, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Cooper, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox and Woodfin.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The following delegates were paired off:

Messrs. Byrd, Coleman, McCanless and Young.

Mr. Reid moved to amend by striking out the words "second Monday" in the 12th line, and inserting the words "first day" instead thereof.

The amendment prevailed.

Mr. Cooper moved to reconsider the vote by which the amendment proposed by Mr. Tourgee was adopted.

The yeas and nays were ordered, and the motion prevailed. Yeas 58, nays 55, as follows:

YEAS.—Messrs. Allison, Allman, Anderson of Clay, An-

derson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

NAYS.—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Fiarcloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox and Woodfin.

The following delegates paired off:

Messrs. Byrd, Coleman, McCanless and Young.

Thereupon, Mr. Vaughan. moved to re commit the ordinance to the Committee on the Executive Department, together with the pending amendment by Mr. Tourgee.

The motion prevailed.

Mr. Chamberlain moved to re-consider the vote by which the report of the Select Committee on the Robeson County Election case, was re-committed on yesterday.

Mr. Manning, of Chatham, moved to lay that motion on the table.

The yeas and nays were ordered, and the vote was taken.

Before the vote was announced by the President, Mr. Tourgee objected to the votes of the delegates from Robeson county being counted, contending that they had no right to vote on the question.

Pending the consideration of the objection raised by Mr.

Tourgee, the Chair announced that the hour had arrived for the special order, to wit :

O. No. 154: An ordinance to reduce the number of State Senators to twenty-five.

The ordinance was read the second time.

Mr. Barringer offered the following substitute :

“ The Senate shall consist of twenty-four (24) members, elected for six years by the qualified voters of the several Districts, consisting of Districts of territory as compact in form as practicable, and having as nearly as may be an equal number of inhabitants in each. And the Senators shall be divided into three (3) classes, and so arranged that one class shall go out every two years.”

Mr. Badger moved to re-commit the ordinance together with the proposed amendment, to the Committee on the Legislative Department, with instructions to prepare and report an ordinance abolishing the Senate, and giving to the Governor, by and with the advice of his counsel of State, a veto upon all acts of the Legislature, similar to that conferred upon the President of the United States, except that a majority of all the members of the General Assembly, shall have power to pass a bill over his veto.

Mr. Manning, of Chatham, moved to lay that motion on the table.

The yeas and nays being ordered, the motion to table was lost, yeas 52, nays 61, as follows :

YEAS—Messrs. Allison, Anderson of Clay, Anderson of Madison, Bennett, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shep-

herd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner and Withers.

NAYS—Messrs. Albertson, Allman, Badger, Barringer, Barrow, Bateman, Bean, Bingham, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Durham, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Vaughan, Watts, Wheeler, Wilcox, Woodfin and Young.

The following delegates were paired off: Messrs. Bell, Byrd, McCanless and Wilson.

Mr. Badger then withdrew his motion to re-commit.

The Convention adjourned until 10 A. M. to-morrow.

TWENTY-SECOND DAY.

THURSDAY, September 30, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Mr. Smedes.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows:

To Mr. Horton until Monday next;

To Mr. Bateman until Wednesday next.

Mr. Horton was announced as having paired with Mr. Spake.

Mr. French presented a petition from ladies of Wilmington,

Fayetteville, and the surrounding country, praying for a law to prohibit the traffic in liquor. Read and referred to the Committee on Penal Institutions, Punishments and Public Charities.

Mr. Turner moved to suspend the rules in order to take from the calendar O. No. 200: An ordinance to amend section 6, article 1, of the Constitution, providing for the repudiation of the special tax bonds.

The Convention refused to suspend the rules.

Mr. Durham moved to suspend the rules in order to make Ordinance, No. 200, the special order for 11 A. M. Saturday.

The motion prevailed, and the ordinance was made the special order for Saturday, 11 A. M.

Reports from standing committees were submitted as follows:

Mr. Shepherd, from the Committee on Municipal Corporations, submitted a report on O. No. 165: An ordinance to alter and amend article 7 of the Constitution; and O. No. 146: An ordinance in relation to municipal corporations, with an accompanying substitute.

Mr. Manning, of New Hanover, from the Committee on Amendment, submitted a report on O. No. 87: An ordinance to amend article 13, section 1 of the Constitution, in reference to the mode of calling a convention of the people;

O. No. 241: An ordinance to amend article 13 of the Constitution;

O. No. 153: An ordinance to amend section 1, article 13, of the Constitution;

R. No. 130: A resolution to amend section 2, article 13, of the Constitution; and

O. No. 96: An ordinance to amend article 13, section 2, of the Constitution, to provide that no Convention shall be called until the question shall have been submitted to and received the sanction of a majority of the qualified voters of the State, with an accompanying substitute.

Mr. Durham, from the Committee on Revenue, Taxation and the Public Debt, submitted a report on O. No. 194: An

ordinance to prohibit the payment of the public debt, or any part thereof, until a bill providing for the payment of the same shall have passed the General Assembly and have been submitted to and received the sanction of a majority of the voters of the State ; and R. No. 33 : A resolution with reference to the compromise of the public debt, with an accompanying substitute.

Mr. Shober, from the Committee on Suffrage and Eligibility, reported O. No. 233 : An ordinance to amend section 7, of the 14th article of the Constitution, asking that the committee be discharged from its further consideration, and with a recommendation that it be referred to the Committee on Miscellaneous Provisions. The ordinance was so referred.

Messrs. Hinnant, Black and Hampton, from the Committee on Municipal Corporations, submitted the following report, to wit :

The Committee on Municipal Corporations, to whom was referred sundry resolutions and ordinances proposing amendments to Article VII of the Constitution, having carefully considered the same, we, the undersigned members of said committee, would respectfully ask leave to submit the following minority report thereon, to-wit :

That we are opposed to abridging the rights of the citizens by placing the government and organization of cities, towns, &c., under the unlimited control of the Legislature as proposed by the substitute offered by the majority of the committee, believing the same to be inconsistent with a democratic or republican form of government, and especially in view of the fact of the late attempt at gerrymander of these cities and towns by the present Legislature, whereby it appears, from the printed reports of the Supreme Court, that one vote in certain wards counted as much as seven in other wards ; together with a further effort at requiring a property representation, as appears from an act of said Legislature incorporating Whitaker's Mills in Nash county.

That in our opinion all government of right originates from the people, is founded upon their will only, and should be exercised directly by them. This is our view in reference to the municipal government of cities, towns, &c., and therefore we cannot consent to delegate these powers to the Legislature.

We therefore recommend that the substitute offered by the majority of the committee do not pass.

B. R. HINNANT,
W. M. BLACK,
N. B. HAMPTON.

The following ordinances were introduced, read and passed the first time, and were referred, or otherwise disposed of, as follows :

By Mr. Boyd : An ordinance to amend article 4 of the Constitution, by adding another section, providing that the General Assembly shall have no power to levy any tax on the people to pay either interest or principal of any bonds or other evidences of debt outstanding against the State, and contracted prior to the first day of July, A. D. 1865, or any part of what is known as "special tax bonds," except it be first submitted and received the sanction of a majority of the qualified voters of the State. Placed on the calendar, and,

On motion, made the special order for Saturday at 11 A. M.

By Mr. Vaughan : An ordinance to amend section 9, article 2, of the Constitution, by striking out in the second line the word "twenty-five," and inserting in lieu thereof "twenty-one." To the Committee on the Legislative Department.

By Mr. Holton : An ordinance to submit the question of pardon of W. W. Holden to the people of the State. Placed on the calendar.

The Convention proceeded to the consideration of the unfinished business of yesterday, to-wit :

O. No. 154 : An ordinance to reduce the number of State Senators to twenty-five.

The pending question was Mr. Barringer's amendment, in the nature of a substitute.

Mr. Avery moved to re-commit the ordinance, together with the pending amendment, to the Committee on the Legislative Department.

On this motion, Mr. Avery called the previous question.

The yeas and nays were ordered, and the call was sustained. Yeas 57, nays 55, as follows :

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

The following delegates were paired off:

Mr. President, Messrs. Bateman, Byrd, King of Lenoir, King of Pitt, Lehman, McCanless and Motz.

The main question being ordered, the question recurred upon the motion to re-commit.

The yeas and nays were ordered, and the motion prevailed. Yeas 58, nays 54, as follows :

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson

of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson, Withers and Young.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Lowé, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox and Woodfin.

The following delegates were paired off:

Mr. President, Messrs. Bateman, Byrd, King of Lenoir, King of Pitt, Lehman, McCanless and Motz.

The Convention then proceeded to the consideration of the next unfinished business of yesterday, to-wit:

The announcement of the vote on the motion of Mr. Manning, of Chatham, to lay on the table Mr. Chamberlain's motion to reconsider the vote on the motion of Mr. Jarvis to recommit the report of the Select Committee on the Robeson county election case, to the Committee on Privileges and Elections.

Mr. Tourgee objected to the votes of Messrs. McEachin and Sinclair, delegates from Robeson, being counted, contending that they had no right to vote on this question.

The Chair decided that the delegates mentioned were entitled to vote.

Mr. Tourgee then appealed from the decision of the Chair to that of the House.

Before the Chair put the question, "Shall the decision of the Chair stand for the decision of the House?" objection was made that the appeal was not now in order, and could not be entertained until after the vote on the motion to table Mr. Chamberlain's motion to reconsider, had first been announced by the Chair.

The Chair decided that the point was well taken, and arose to announce the vote as reported by the Secretary.

Objection was raised to the announcement about to be made.

Pending the discussion of this point, Mr. Tourgee, by leave, withdrew his motion to appeal from the decision of the Chair, and the Chair announced that the motion to table had prevailed. Yeas 59, nays 57, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Fa'son, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, M rehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Beau, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Fairecloth, French, Goodwin, Grant-ham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

Messrs. McCanless and Byrd were paired.

Thereupon, Mr. Tourgee moved that the votes of Duncan Sinclair and C. A. McEachin, the sitting members from the county of Robinson, be disallowed by reason of their interest in the question decided by the vote just taken.

After a full discussion of the right of these members to vote, Mr. Manning, of Chatham, demanded the previous question.

The yeas and nays being ordered, the call was sustained, yeas 56, nays 52, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faircloth, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Watts and Wilson.

NAYS—Messrs. Albertson, Badger, Barringer, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jarvis, Jones of Yadkin, Jordan, Justice, Kerr, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox and Woodfin.

The following delegates were paired off:

Mr. President, Messrs. Barrow, Bateman, Byrd, King of Lenoir, King of Pitt, Lehman, McCanless, Motz, Vaughan, Withers and Young.

The main question being ordered, the question recurred upon the motion made by Mr. Tourgee.

The yeas and nays were ordered, and the motion did not prevail. Yeas 54, nays 56, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faircloth, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Watts, Wilson and Withers.

The following delegates were paired off:

Mr. President, Messrs. Barrow, Bateman, Byrd, King of Lenor, King of Pitt, Lehman, McCanless, Motz and Vaughan.

Mr. Chamberlain offered a protest of the minority committee on the contested case of Robeson county, and moved that it be read and spread upon the journal of this Convention.

The motion prevailed.

The protest was then read as follows:

"We, the undersigned members of the Committee on Privileges and Elections, representing the minority report on the Robeson county contested case, do hereby enter our solemn protest against the action of the Convention on the 28th day

of September, 1875, in the re-committal of the above mentioned case, with all the papers therewith connected, on the following grounds, to-wit :

1. Under article 1, section 5, of the Constitution of the United States, (the supreme law of the land,) a majority of the members of each house shall constitute a quorum, is essential to the transaction of any and all business ; and hence said action of this Convention yesterday, in the absence of a quorum, is unconstitutional, revolutionary and void.

2. Such action is unprecedented in the history of all parliamentary bodies, under our system of government, or elsewhere, so far as your committee is informed.

(Signed)

J. L. CHAMBERLAIN,
J. W. BOWMAN,
ALLEN JORDAN,
J. O. WILCOX.

Mr. Badger offered the following resolution, which was placed on the calendar :

Resolved, That the Committee on Privileges and Elections be directed again, as heretofore they have been directed on the 14th of September, 1875, to examine and report whether that part of the law under which this Convention was called, which requires that the delegates shall have the qualifications of members of the House of Representatives, was and is binding on this people and their delegates here assembled ; and if they shall so find, that they shall enquire and report what members of this body are disqualified to be members of the House of Representatives, and therefore of this body.

The following ordinances, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified in open Convention.

An ordinance to submit to the people the amendments to the Constitution adopted by this Convention.

An ordinance to amend section 14, article 4, of the Constitution.

An ordinance to amend section 12, article 4, of the Constitution.

An ordinance to amend section 2, article 2, of the Constitution.

An ordinance to amend section 2 of the 9th article of the Constitution.

An ordinance to add an additional section to article 2 of the Constitution.

An ordinance to amend section 27, of article 2, of the Constitution.

An ordinance to amend section 29, of article 2, of the Constitution.

An ordinance to strike section 4, article 2, from the Constitution.

An ordinance to amend section 8, of article 4, of the Constitution.

An ordinance to amend section 4, article 4, of the Constitution.

An ordinance to abrogate section 9, of article 4, of the Constitution, and substitute another section therefor.

An ordinance to strike section 8, of article 2, from the Constitution.

Mr. Albertson offered the following :

“Resolved. That the Committee on Privileges and Elections be instructed to proceed immediately to consider and dispose of the question of the disputed seats of the delegates from Robeson county.”

The resolution was read.

Mr. Albertson moved to suspend the rules and place the resolution upon its adoption.

Pending the consideration of this motion, Mr. Badger moved that the Convention do now adjourn.

The motion prevailed, and the Convention stood adjourned until 10 A. M. to-morrow.

TWENTY-THIRD DAY.

FRIDAY, October 1, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Mr. Kerr.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows :

To Messrs. Dixon, Stallings, Barringer, Crosby, Kirby and J. P. Norton, Principal Doorkeeper, until Tuesday next ;

To Mr. Faircloth until Monday ;

To Mr. Hinnant leave for to-morrow.

Mr. Barringer was announced as having paired with Mr. Allison ; Mr. Dixon with Mr. Kirby.

Mr. Jones, of Yadkin, asked and obtained leave to record his vote in the affirmative on the vote by which O. No. 28 : An ordinance to amend section three (3) of the ninth (9th) article of the Constitution, providing for a separation of the races in the public schools, passed its third and last reading.

Mr. Hoffman asked and obtained leave to record his vote in the affirmative on the second reading of the ordinance to remove the disabilities of William W. Holden.

Mr. Withers asked to be excused from further service on the Committee on Privileges and Elections.

Objection being raised, Mr. French moved that Mr. Withers be excused, as desired.

A division was called for, and the motion did not prevail.

Reports from Standing Committees were submitted as follows :

From the Committee on Municipal Corporations :

By Mr. Shepherd, O. No. 235 : An ordinance to provide for establishing and working the public roads, with a recommendation that it do not pass.

By Mr. Shober, from the Committee on Suffrage and Eli-

gibility to Office, O. No. 232: An ordinance to amend article 6, of the Constitution; and O. No. 39: An ordinance to amend article 6, section 1, of the Constitution; with an accompanying substitute.

From the Committee on Revenue, Taxation and the Public Debt:

By Mr. Durham, O. No. 79: An ordinance to amend article 5, of the Constitution, with a recommendation that it do not pass.

O. No. 78: An ordinance to amend article 5, of the Constitution, with a recommendation that it do pass.

O. No. 79: An ordinance to amend article 5 of the Constitution, providing for exemption from taxation of certain property, with a recommendation that it do not pass.

The following resolutions were introduced, read and passed the first time, and were referred or otherwise disposed of, as follows:

By Mr. Bennett: A resolution instructing the Committee on Corporations other than Municipal, to report whether the Cheraw and Salisbury railroad can be relieved of the penalty of the gauge law. Placed on the calendar.

By Mr. Badger: A resolution instructing the Committee on the Judicial Department to report whether this Convention has power to grant a divorce from the bonds of matrimony. Placed on the calendar.

By Mr. Durham: An ordinance to confer upon the General Assembly the power to regulate freights and travel on railroads and other incorporated carrying lines, and to protect the industrial interests of the State against the exactions of monopolies. To the Committee on Corporations other than Municipal.

The unfinished business of yesterday being in order, the Convention entered upon the consideration of R. No. 262: A resolution of instruction in regard to the Robeson county case.

The pending question was Mr. Albertson's motion to suspend the rules and put the resolution on its adoption.

The motion prevailed, and the resolution was adopted.

The consideration of General Orders being in order, the Convention entered upon the consideration of O. No. 45: An ordinance to alter section 10, article 3, of the Constitution, defining the appointing powers of the Governor.

The ordinance was read the third time.

Pending its consideration, Mr. Manning, of Chatham, demanded the previous question.

The yeas and nays were ordered, and the call was sustained, yeas 55, nays 52, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bell, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Fairecloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Jones of Yadkin, Jordan, Justice, Kerr, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

The following delegates were paired off:

Mr. President, Messrs. Bateman, Black, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Lehman, McCanless, Motz and Spake.

By unanimous leave, Mr. French offered the following amendment:

“Strike out the words ‘Senators elect,’ in line 5, and insert ‘members of the General Assembly in joint session assembled.’”

Mr. Faircloth, by unanimous leave, offered the following amendment :

“Amend by inserting after the word ‘constitution’ in the 6th and 7th lines, the words ‘or which shall be created by law,’ and insert after the word ‘appointment’ in the 7th line, the words ‘or election.’”

Mr. Tourgee moved that the Convention do now adjourn.

The Chair decided that as the previous question had been ordered, the motion was not now in order.

The question recurred upon the amendment proposed by Mr. French.

The yeas and nays were ordered, and the amendment was rejected. Yeas 37, nays 65 :

YEAS—Messrs. Bean, Bliven, Bowman, Bullock, Bryan, Chamberlain, Crosby, Davis, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hoffman, Helton, Jones of Yadkin, Jordan, Justice, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McDonald, O’Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilson, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bell, Bennett, Bingham, Blocker, Buxton, Cary, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dixon, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Henderson, Hinnant, Hodge, Jarvis, Jones of Caldwell, Kirby, Love, Mannix, Manning of Chatham, Marshall McCorkle, Morehead, Munden, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Sho-

ber, Sinclair, Singeltary, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Withers.

The following delegates were paired :

Mr. President, Messrs. Albertson, Bateman, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Lehman, McCanless, Motz and Spake.

The question then recurred upon the amendment proposed by Mr. Faircloth.

The yeas and nays were ordered, and the amendment did not prevail. Yeas 51, nays 54, as follows :

YEAS—Messrs. Albertson, Badger, Barrow, Bean, Bell Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula Faircloth, French, Goodwin, Grantham, Hampton, Hinnant Hodge, Hoffman, Holton, Jones of Yadkin, Jordan, Justice Kerr, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The following delegates paired off :

Mr. President, Messrs. Badger, Bateman, Black, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Kirby, Lehman, McCanless, Motz and Spake.

Mr. Munden, by unanimous leave, moved to amend by adding, " And no such officer shall be appointed or elected by the General Assembly."

The yeas and nays were ordered, and the amendment did not prevail, yeas 51, nays 52, as follows:

YEAS—Messrs. Barringer, Barrow, Bean, Bell, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Jones of Yadkin, Jordan, Justice, Kerr, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Vaughan, Watts, Wilson and Withers.

The following delegates were paired:

Mr. President, Messrs. Albertsen, Badger, Bateman, Black, Bunn, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Kirby, Lehman, McCanless, Motz and Spake.

The question recurring on the passage of the ordinance on the third and last time, it passed. Yeas 56, nays 52, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott

of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Tourgee, Turner, Vaughan, Watts, Wilson and Withers.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bell, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Fairecloth, French, Goodwin, Grantham, Hampton, Hin-nant, Hodge, Hoffman, Holton, Jones of Yadkin, Jordan, Jus-tice, Kerr, Lowe, Mabson, Mannix, Manning of New Hano-ver, Massey, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Wil-cox, Woodfin and Young.

The following delegates paired off:

Mr. President, Messrs. Allman, Bateman, Black, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Lehman, Mc-Canless, Motz, Spake and Woodfin.

Mr. Tourgee moved to re-consider the vote just had, and to make that motion the special order for Tuesday next at 12 M.

The motion prevailed.

The Chair then announced that the hour had arrived for the special order, to-wit :

O. No. 143: An ordinance to amend article 9 of the Con-stitution, providing for the preservation and investment of public school funds.

The pending question was the motion to re-consider, made by Mr. Avery.

Mr. Avery withdrew the motion.

Mr. Withers moved to suspend the rules, and take up O. No. 244: An ordinance to add a section to article 4 of the Constitution.

A division being called for, the motion prevailed, yeas 70, nays 6.

The ordinance was then read the second time.

The question recurred on the adoption of the substitute pro-posed by the Committee.

It was read and adopted.

The ordinance then passed the second time.

Mr. Jarvis moved that the rules be suspended and the ordinance be put upon its third and last reading.

The yeas and nays were ordered, and the motion prevailed.

Yeas 69, nays 34, as follows :

YEAS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barrow, Bean, Bennett, Bingham, Blocker, Boyd, Bullock, Bunn, Buxton, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Davis, Dotson, Dula, Durham, Everett, Faison, Farrior, George, Green, Harrington, Henderson, Hoffman, Jarvis, Jones of Caldwell, Kirby, Love, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson, Withers and Young.

NAYS—Messrs. Barringer, Bell, Bowman, Bryan, Cary, Chamberlain, Crosby, Dixon, Dockery, Faircloth, Goodwin, Grantham, Hampton, Hinnant, Hodge, Holton, Jones of Yadkin, Jordan, Justice, Mabson, Mannix, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler and Woodfin.

The following delegates were paired off :

Mr. President, Messrs. Bateman, Black, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Lehman, McCanless, Motz and Spake.

The question recurred on the passage of the ordinance on its third and final reading.

Pending its consideration, Mr. Tourgee moved that the Convention do now adjourn.

The yeas and nays were ordered, and resulted as follows :

YEAS—Messrs. Albertson, Barringer, Bean, Bell, Bliven, Bowman, Boyd, Bullock, Bryan, Cary, Crosby, Faircloth, Grantham, Hampton, Hodge, Hoffman, Holton, Jones of

Yadkin, Justice, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, McDonald, Munden, Nowell, Scott of Jones, Smythe, Taylor and Woodfin.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barrow, Bennett, Bingham, Blocker, Bunn, Buxton, Carter, Clingman, Coleman, Cowell, Cunningham, Davis, Dixon, Dobson, Dockery, Dula, Durham, Everett, Faison, Farrior, French, George, Green, Harrington, Henderson, Hinnant, Jarvis, Jones of Caldwell, Jordan, Kirby, Love, Lowe, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, O'Hara, Page, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Thorne, Turner, Vaughan, Watts, Wheeler, Wilson, Withers and Young.

The following delegates were paired :

Mr. President, Messrs. Bateman, Black, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Lehman, McCanless, Motz and Spake.

Before the vote was announced, Mr. Tourgee offered to withdraw the motion to adjourn.

Objection was raised that the author of the motion had no right to withdraw it at this stage without the unanimous leave of the House.

The Chair decided that the delegate had the right to withdraw his motion, holding that as the vote had not been announced, there was no decision.

Mr. Tourgee then withdrew his motion.

Mr. McCabe moved that the Convention do now adjourn.

The yeas and nays were ordered, and the vote resulted as follows :

YEAS—Messrs. Albertson, Barringer, Bean, Bell, Bullock, Bryan, Crosby, Grantham, Hinnant, Hodge, Hoffman, Holton, Justice, Mannix, Manning of New Hanover, McCabe, McDonald, Munden, Page, Thorne and Young.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barrow, Bennett, Bingham, Blocker, Bowman, Boyd, Bunn, Buxton, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Davis, Dixon, Dobson, Dockery, Dula, Durham, Everett, Faison, Farrior, George, Goodwin, Green, Hampton, Harrington, Henderson, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Kirby, Love, Lowe, Mabson, Manning of Chatham, Massey, McCorkle, McEachin, Morehead, Neal, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Stallings, Strowd, Summers, Taylor, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers and Woodfin.

The following delegates paired off:

Mr. President, Messrs. Allison, Bateman, Black, Byrd, Has-sell, Horton, King of Lenoir, King of Pitt, Lehman, McCan-less and Spake.

Before the vote was announced, Mr. McCabe withdrew his motion to adjourn.

Mr. Manning, of Chatham, moved that the Convention do now adjourn.

The yeas and nays were ordered, and the Convention re-fused to adjourn. Yeas 7, nays 91, as follows:

YEAS—Messrs. Bullock, Faircloth, Grantham, Hodge, Tay-lor, Thorne and Tourgee.

NAYS—Messrs. Albertson, Allman, Anderson of Clay, An-derson of Madison, Avery, Badger, Barrow, Bean, Bell, Ben-nett, Bingham, Blocker, Bowman, Boyd, Bunn, Buxton, Bryan, Cary, Carter, Clingman, Coleman, Cowell, Crosby, Cunn-ingham, Davis, Dobson, Dockery, Dula, Durham, Everett, Fai-son, Farrior, George, Goodwin, Green, Harrington, Hender-son, Hoffman, Holton, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Justice, Love, Lowe, Mabson, Man-nix, Manning of Chatham, Manning of New Hanover, Mar-shall, Massey, McCabe, McCanless, McCorkle, McDonald,

McEachin, Morehead, Munden, Neal, Nicholson, Nowell, O'Hara, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers, Woodfin and Young.

The following delegates were paired :

Mr. President, Messrs. Allison, Bateman, Black, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Lehman, Motz and Spake.

Mr. Manning, of Chatham, called the previous question.

The yeas and nays were ordered, and the call was sustained.

Yeas 74, nays 26, as follows :

YEAS—Messrs. Albertson, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barrow, Bean, Bennett, Bingham, Blocker, Bowman, Bullock, Bunn, Buxton, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Davis, Dixon, Dobson, Dula, Durham, Everett, Faircloth, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Kirby, Love, Lowe, Manning of Chatham, Marshall, Massey, McCorkle, McEachin, Morehead, Munden, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Thorne, Turner, Vaughan, Watts, Wilson, Withers, Woodfin and Young.

NAYS—Messrs. Bell, Boyd, Bryan, Cary, Crosby, French, Goodwin, Grantham, Hampton, Hodge, Hoffman, Holton, Jordan, Justice, Mabson, Mannix, Manning of New Hanover, McCabe, McDonald, O'Hara, Page, Smythe, Taylor, Tourgee, Wheeler and Wilcox.

The following delegates paired off :

Mr. President, Messrs. Allison, Bateman, Black, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Lehman, McCannless, Motz and Spake.

The question recurred on the passage of the ordinance the third time.

The yeas and nays were ordered, and the ordinance passed the third time, yeas 96, nays 2, as follows:

YEAS—Messrs. Albertson, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bean, Bell, Bennett, Bingham, Bliven, Blocker, Bowman, Boyd, Bullock, Bunn, Buxton, Bryan, Carter, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Davis, Dobson, Dockery, Dula, Durham, Everett, Faircloth, Faison, Farrior, French, George, Grantham, Green, Hampton, Harrington, Henderson, Hinnant, Hoffman, Holton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Justice, Kirby, Love, Lowe, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCorkle, McDonald, McEachin, Morehead, Munden, Neal, Nicholson, Nowell, O'Hara, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Thorne, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers, Woodfin and Young.

NAYS—Messrs. Goodwin and Mannix.

The following delegates were paired off:

Mr. President, Messrs. Bateman, Black, Byrd, Hassell, Horton, King of Lenoir, King of Pitt, Lehman, McCanless, Motz and Spake.

Thereupon, on motion of Mr. Munden, the Convention adjourned until to-morrow at 10 A. M.

TWENTY-FOURTH DAY.

SATURDAY, October 2, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Mr. Atkinson.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows :

To Mr. Withers, from Monday until Friday next.

To Mr. Grantham, until Wednesday next.

Mr. Withers was announced as having paired with Mr. Tourgee; and Mr. Grantham with Mr. Kirby.

Reports from standing committees were submitted as follows :

From the Committee on a Preamble and Bill of Rights :

By Mr. Turner, O. No. 245 : An ordinance to amend section 16, article 1, of the Constitution, with a recommendation that it do not pass.

O. No. 109 : An ordinance to amend section 24, article 1, of the Constitution, relating to right of the people to keep and bear arms, with a recommendation that it do not pass.

R. No. 107 : A resolution to amend article 1 of the Constitution, with a recommendation that it do not pass.

From the Committee on Corporations other than Municipal :

By Mr. Jones, of Caldwell, O. No. 101 : An ordinance to amend section 1 of the 8th article of the Constitution, with a recommendation that it do not pass.

O. No. 142 : An ordinance to amend article 8 of the Constitution, forbidding the granting of free passes to members of the General Assembly and other officers, with a recommendation that it do not pass.

From the Committee on Revenue, Taxation and the Public Debt :

By Mr. Durham, O. No. 234 : An ordinance to amend sec-

tion 3, article 5 of the Constitution, in relation to the Department of Agriculture, &c., with a recommendation that it do not pass.

From the Committee on the Legislative Department :

By Mr. Clingman, O. No. 154: An ordinance to reduce the number of State Senators to twenty-five, with an accompanying substitute.

From the Committee on the Judicial Department :

By Mr. Bennett, R. No. 139: A resolution in reference to Clerks of the Superior Court, with a recommendation that it do not pass.

O. No. 5: An ordinance to amend section 14 of article 4 of the Constitution, with a recommendation that it do not pass.

O. No. 2: An ordinance to amend article 4 of the Constitution, with a recommendation that it do not pass.

O. No. 159: An ordinance to amend article 4 of the Constitution, with a recommendation that it do not pass.

Mr. Reid, from the Committee on the Executive Department, to whom were re-committed Resolutions Nos. 47, 50 and 110, and Ordinances Nos. 44 and 46, asked leave to submit a substitute proposed by the committee for the whole matter.

Messrs. Massey, Taylor, Kerr and Munden, from the Committee on the Executive Department, asked leave to present the following report, to-wit :

“ The Committee on the Executive Department, to whom was referred Ordinances Nos. 44 and 110, proposing to abolish the office of Lieutenant Governor, having had the same under consideration, we the undersigned, members of said committee, ask leave to submit the following minority report, to-wit :

That this officer receiving no pay or compensation only when acting as President of the Senate, or as Governor, in our opinion the abolition of this office can bring no relief to the people.

We would further state that we deem the election of Lieu-

tenant Governor by the people as more economical than consuming time at each session of the Legislature in choosing a presiding officer of the Senate.

Therefore, we recommend that said ordinance do not pass.

Respectfully submitted,

P. T. MASSEY,
EDWARD W. TAYLOR,
W. M. KERR,
W. J. MUNDEN,

Committee."

Mr. Manning, of Chatham, introduced an ordinance for submitting, as a separate and distinct proposition to the people, the substitute reported by the Committee on Amendment.

The ordinance was read and placed on the calendar.

Mr. Manning, of New Hanover, moved to suspend the rules, and take up the report of the Committee on Amendment, on Ordinances Nos. 87, 96, 130, 153 and 241.

The motion prevailed.

The question recurred upon the adoption of the substitute, and it was adopted.

The ordinance was then read and passed the second time.

On motion, the rules were suspended, and the ordinance put upon its third reading.

Mr. Clingman moved to strike out "two-thirds" and insert "three-fifths."

The yeas and nays were ordered, and the amendment prevailed. Yeas 54, nays 44, as follows:

YEAS--Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Bean, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Kirby, Lowe, Manning of Chatham, Marshall, Massey, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates,

Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Strowd, Summers, Turner, Vaughan, Watts and Withers.

NAYS—Messrs. Albertson, Barrow, Bell, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Davis, Dixon, Dockery, Dula, French, Goodwin, Grantham, Hampton, Hodge, Hoffman, Holton, Jones of Yadkin, Jordan, Justice, Kerr, Mabson, Manning of New Hanover, McCabe, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

The following delegates paired off:

Mr. President, Messrs. Allison, Barringer, Bateman, Black, Byrd, Hassell, Hinnant, Horton, King of Lenoir, King of Pitt, Lehman, Love, McCanless, Motz, Spake, Stallings and Wilson.

Mr. Buxton moved to amend by inserting in the second line, after the word "called," these words, "by the General Assembly, unless by the concurrence of two-thirds of all the members of each house of the General Assembly."

The amendment prevailed.

Mr. Clingman called the previous question. The call was sustained.

The question recurring on the passage of the ordinance on its third reading, it was passed the third time.

Mr. Clingman moved to reconsider the vote just had, and to lay that motion on the table.

The motion to table prevailed.

The hour for the special order having arrived, the Convention entered upon the consideration of the report of the Committee on Revenue, Taxation and the Public Debt, on ordinances No. 33 and 194.

The question recurred on the adoption of the substitute proposed by the committee, which substitute proposes that the General Assembly shall have no power to levy taxes for the payment or adjustment of more than five per cent. of the principal of the bonds of the State, known as special tax

bonds, and thirty-three per cent. of all other bonds of the State, until the question of such additional levy shall have been submitted to the qualified voters of the State for their approval or disapproval, and shall have been approved by a majority thereof; and that no part of the interest which has accrued, or which may hereafter accrue upon any of the bonds of the State, shall ever be paid.

Mr. Jarvis offered to amend by striking out in lines two and three the words "more than five per cent. of the principal of."

Mr. Tourgee offered the following substitute :

"WHEREAS, In the opinion of this Convention the State of North Carolina is indebted in a sum beyond her ability to pay without the impoverishment of her people :

"SECTION 1. *Be it therefore ordained by the people of North Carolina in Convention assembled*, That the Legislature, at its next session after the vote on the amendments submitted by this Convention, shall provide for a tribunal of arbitration, to be composed as follows: One member of said tribunal to be selected by vote of the General Assembly, one by the State Board in the City of New York, and then two to select the third, neither of said arbitrators to be citizens of this State; and before acting as such arbitrators to take an oath that they are not interested directly or indirectly in the bonds of the State.

"SEC. 2. That said arbitrators shall proceed to make an equitable adjustment of the entire debt of the State, considering all circumstances, affecting the validity of said bonds, and the ability of the State to pay, having such counsel for both parties as may appear before them, and report decision to the Governor of the State.

"SEC. 3. That the decision of said tribunal of arbitration shall be final, and the Legislature shall enact laws to

carry the same into effect, immediately upon its being transmitted to them by the Governor."

Mr. Allman moved to re-commit the ordinance, together with the amendments proposed.

Pending the consideration of the question, Mr. Turner demanded the previous question.

The call was sustained.

The question recurred first upon the motion to re-commit.

The yeas and nays were ordered, and the motion to re-commit prevailed. Yeas 49, nays 38, as follows:

YEAS.—Messrs. Albertson, Allman, Anderson of Clay, Anderson of Madison, Avery, Barrow, Bell, Bennett, Bingham, Bliven, Blocker, Bowman, Bullock, Bunn, Buxton, Cary, Carter, Clingman, Cooper, Cunningham, Davis, Dixon, Dockery, Farrior, Goodwin, Grantham, Hampton, Harrington, Henderson, Hodge, Jordan, Kerr, Mabson, Mannix, Marshall, McCabe, McCorkle, O'Hara, Page, Redwine, Robbins, Roberts of Davidson, Rumley, Scott of Onslow, Shober, Singeltary, Wilcox, Woodfin and Young.

NAYS.—Messrs. Bean, Boyd, Bryan, Cowell, Dobson, Dula, Durham, Everett, Faison, French, George, Green, Hoffman, Helton, Jarvis, Jones of Caldwell, Jones of Yadkin, Kirby, Lowe, Manning of New Hanover, McDonald, McEachin, Morehead, Nicholson, Nowell, Patterson, Price, Reid, Roberts of Gates, Scott of Jones, Shepherd, Smythe, Summers, Taylor, Thorne, Watts, Wheeler and Wilson.

The following delegates paired off:

Messrs. Allison, Barringer, Bateman, Black, Byrd, Chamberlain, Faircloth, Hassell, Hinnant, Horton, King of Lenoir, King of Pitt, Lehman, Love, Massey, McCanless, Motz, Neal, Spake and Stallings.

Messrs. Badger and Munden were excused from voting on the question.

The Convention then entered upon the consideration of the next special order, to-wit: O. No. 200: An ordinance to

amend section 6, article 1, of the Constitution, providing for repudiation of the special tax bonds.

Mr. Jarvis moved to postpone the further consideration of the ordinance, and make it the special order for Monday at 1 o'clock.

The yeas and nays were ordered, and the motion prevailed. Yeas 53, nays 25, as follows:

YEAS—Messrs. Albertson, Anderson of Clay, Anderson of Madison, Bean, Bennett, Boyd, Bunn, Bryan, Carter, Cowell, Davis, Dula, Durham, Everett, Faison, Farrior, French, George, Goodwin, Harrington, Henderson, Hoffman, Holton, Jarvis, Kirby, Lowe, Manning of Chatham, Marshall, McDonald, McEachin, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Singeltary, Smythe, Summers, Thorne, Turner, Watts, Wheeler, Wilcox and Wilson.

NAYS—Messrs. Allman, Avery, Barrow, Bell, Blocker, Clingman, Coleman, Cooper, Cunningham, Dixon, Dobson, Grantham, Hampton, Hodge, Jones of Caldwell, Jones of Yadkin, Jordan, Mabson, Mannix, McCabe, McCorkle, Morehead, Page, Taylor and Woodfin.

The following delegates paired off:

Mr. President, Messrs. Allison, Barringer, Bateman, Bingham, Black, Byrd, Chamberlain, Crosby, Faircloth, Hassell, Hinnant, Horton, Justice, King of Lenoir, King of Pitt, Lehman, Love, Massey, McCanless, Motz, Neal, Spake, Stallings, Strowd, Vaughan and Withers.

Mr. Boyd, by leave of the House, withdrew ordinance No. 260, which was a special order for to day.

The Convention then adjourned until Monday at 10 A. M.

TWENTY-FIFTH DAY.

MONDAY, October 4, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by the Rev. Dr. Pritchard.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows :

To Mr. O'Hara until Wednesday ;

To Mr. McDonald until Wednesday ;

To Mr. Tourgee until Thursday ;

To Mr. Bennett until Friday.

Mr. Cooper presented a petition from W. C. Evans of Cherokee, praying the Convention to labor for the good of the State.

Mr. Scott, of Jones, moved that the petition be printed and made the special order for next Monday at 12 M.

Mr. Clingman moved to lay that motion upon the table.

The motion to table prevailed.

The following ordinances and resolutions were introduced, read and passed the first time, and were referred, or otherwise disposed of, as follows :

By Mr. Badger : An ordinance to amend section —, article —, of the Constitution. Placed on the calendar.

By Mr. Holton : A resolution to pay the contestants from Robeson county. Read and adopted.

Reports from standing committees were submitted, as follows :

Mr. Durham, from the Committee on Revenue, Taxation and the Public Debt, to whom were re-committed various resolutions and ordinances for the adjustment of the public debt, submitted a report with an accompanying substitute.

By Mr. Manning, of Chatham, from the Committee on the Judicial Department, O. No. 243 : An ordinance to add three

sections to article 4 of the Constitution of North Carolina, with an accompanying substitute.

From the Committee on Municipal Corporations:

By Mr. Shepherd, R. No. 93: A resolution to amend section 4 of the 8th article of the Constitution, relative to city and town governments, with a recommendation that it do not pass.

From the Committee on Revision:

By Mr. Reid, O. No. 255: An ordinance to amend "an ordinance to submit amendments of this Constitution to the people," with an accompanying substitute.

From the Committee on the Judicial Department:

By Mr. Bennett, R's. Nos. 115 and 137, proposing to alter section 26, article 4, of the Constitution, with an accompanying substitute;

O. No. 177: An ordinance providing for the election of Solicitors by the Legislature, being a substitute for section 29, article 4, with a recommendation that it do not pass.

Mr. Bennett also submitted a reported from the Committee, proposing to add to article 4 of the Constitution, as an additional section, the following:

"In case the General Assembly shall establish other courts inferior to the Supreme Court, the judges and clerks thereof shall be elected in such manner as the General Assembly may prescribe, and they shall hold their offices for a term not exceeding eight years."

Messrs. Bean, Blocker, Bliven and McCanless asked leave to submit the following report as the minority of the Committee on a Preamble and Bill of Rights:

"We, undersigned, beg leave to make a minority report, having failed to agree with a majority of the Committee on a Preamble and Bill of Rights to amend section 37, article 1, on the ground that the proposed amendment is an infringement

upon, and a usurpation of, the reserved rights of the people in our present Constitution."

Mr. Turner, from the Committee on a Preamble and Bill of Rights, submitted the following report :

O. No. 40 : An ordinance to amend section 37, article 1, of the Constitution, with a recommendation that it do pass ;

O. No. 242 : An ordinance to prohibit secret political associations in North Carolina, with an accompanying substitute.

Mr. Turner moved to suspend the rules and put this ordinance on its passage.

The motion prevailed.

The question recurring on the adoption of the substitute, it was adopted.

The ordinance, as amended, was then read and passed the second and third times, under a suspension of the rules.

Mr. French moved to suspend the rules and take up O. No. 225 : An ordinance to amend article 3 of the Constitution, establishing a Department of Agriculture.

The question recurred on the substitute proposed by the Committee on the Legislative Department.

Mr. Turner proposed to amend the substitute, by striking out in line 5 the word "shall," and inserting the word "may" in lieu thereof.

The amendment did not prevail, and the substitute proposed by the committee was adopted.

The ordinance then passed the second time.

The ordinance was then read and passed the third time.

The consideration of General Orders being in order, the Convention proceeded to consider O. No. 121 : An ordinance to abrogate and annul sections 15, 16 and 17, of the Constitution of North Carolina, and substitute therefor the following :

"The General Assembly shall have no power to deprive the Judicial Department of any power or jurisdiction which rightfully pertains to it, as a co-ordinate department of the

government; but the General Assembly shall allot and distribute that portion of this power and jurisdiction, which does not pertain to the Supreme Court, among the other courts prescribed in this Constitution, or which may be established by law, in such manner as it may deem best; provide also a proper system of appeals, and regulate by law, when necessary, the methods of proceeding in the exercise of their powers, of all the Courts below the Supreme Court, so far as the same may be done without conflict with other provisions of this Constitution."

The ordinance was read the second time.

Pending its consideration, Mr. Bennett called the previous question.

The yeas and nays were demanded, and the call was sustained, yeas 50, nays 47, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Spake, Stallings, Strowd, Summers, Turner, Vaughan and Watts.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, Munden, Nowell, Page, Smythe, Taylor, Thorne, Wheeler, Wilcox and Woodfin.

The following gentlemen were paired:

Mr. President, Messrs. Bateman, Bell, Black, Byrd, Cun-

ningham, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, Love, McCanless, McDonald, O'Hara, Scott of Jones, Singeltary, Stallings, Tourgee, Wilson, Withers and Young.

The question recurred on the passage of the ordinance on its second reading.

The yeas and nays were ordered, and the ordinance passed the second time, yeas 50, nays 46, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Durham, Faison, Farrrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Strowd, Summers, Turner, Vaughan and Watts.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Davis, Dixon, Dockery, Dula, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, Munden, Nowell, Page, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

The following gentlemen were paired:

Mr. President, Messrs. Bateman, Bell, Black, Byrd, Crosby, Cunningham, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, Love, McCanless, McDonald, O'Hara, Scott of Jones, Stallings, Tourgee, Wilson and Withers.

The Convention next entered upon the consideration of O. No. 98: An ordinance to abrogate and annul section 33, article 4, of the Constitution, respecting the jurisdiction of Justices of the Peace.

The ordinance was read the second time.

The question recurred on the adoption of the substitute proposed by the committee. The substitute proposes to strike out section 33, article 4, of the Constitution.

Pending its consideration, Mr. Bennett called the previous question.

The yeas and nays were demanded, and the call was sustained, yeas 50, nays 48, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Strowd, Summers, Turner, Vaughan and Watts.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bell, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Davis, Dixon, Dockery, Dula, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, Munden, Nowell, Page, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

The following delegates paired off:

Mr. President, Messrs. Bateman, Black, Byrd, Crosby, Cunningham, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, McCanless, McDonald, O'Hara, Scott of Jones, Stallings, Tourgee, Wilson and Withers.

The previous question being ordered, the question recurred on the adoption of the substitute.

The yeas and nays were ordered, and the substitute was adopted. Yeas 51, nays 47, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Barringer, Bennett, Bingham, Bunn, Carter

Clingman, Coleman, Cooper, Cowell, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Strowd, Summers, Turner, Vaughan and Watts.

NARS—Messrs. Albertson, Badger, Barrow, Bean, Bell, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Davis, Dixon, Dockery, Dula, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, Munden, Nowell, Page, Smythe, Taylor Thorne, Wheeler, Wilcox, Woodfin and Young.

The following delegates were paired off:

Mr. President, Messrs. Bateman, Black, Byrd, Crosby, Cunningham, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, McCanless, McDonald, O'Hara, Scott of Jones, Stallings, Tourgee, Wilson and Withers.

The question then recurred on the passage of the ordinance on its second reading.

Pending its consideration, the Chair announced that the hour had arrived for the special order, to-wit :

O. No. 200 : An ordinance to amend section 6, article 1, of the Constitution, providing for the repudiation of the special tax bonds.

The ordinance was read the second time.

The question recurred upon the adoption of the substitute proposed by the Committee on a Preamble and Bill of Rights, in place of the original bill.

The substitute reads as follows :

- “ No future General Assembly shall levy any tax or raise any money to pay the interest or principal of any of the bonds

of the State issued in aid of any railroad corporation under the authority of the Constitutional Convention held in the year one thousand eight hundred and sixty-eight, or by the authority of any subsequent General Assembly bearing date between the first day of January, one thousand eight hundred and sixty eight, and the first day of January, one thousand eight hundred and seventy-five, without first submitting the question to the qualified voters of the State."

The substitute was adopted, and took the place of the original bill introduced by Mr. Jarvis, and reported back from the Committee on a Preamble and Bill of Rights.

Mr. Durham offered the following substitute :

"SEC. —. The General Assembly shall have no power to levy taxes for the payment or adjustment of more than five per cent. of the principal of the bonds of the State, known as special tax bonds, and thirty-three per cent. of all other bonds of the State, until the question of such additional levy shall have been submitted to the qualified voters of the State for their approval or disapproval, and shall have been approved by a majority thereof. And no part of the interest which has accrued, or which may hereafter accrue, upon any of the bonds of the State, shall ever be paid."

Mr. Jarvis offered the following amendment to this substitute : "Strike out the words 'more than five per cent.'"

Mr. Young moved to lay the whole matter upon the table.

The yeas and nays were ordered, and the motion did not prevail. Yeas 18, nays 69, as follows :

YEAS—Messrs. Allison, Avery, Barrow, Bennett, Buxton, Bryan, Clingman, Coleman, Dockery, Jones of Caldwell, Jordan, King of Lenoir, Mannix, Manning of New Hanover, Page, Shober, Smythe and Young.

NAYS—Messrs. Albertson, Allman, Anderson of Clay, Anderson of Madison, Barringer, Bean, Bell, Bowman, Boyd, Bullock, Bunn, Cary, Carter, Chamberlain, Cooper, Cowell,

Davis, Dixon, Dobson, Dula, Durham, Faison, Farrior, French, George, Goodwin, Green, Hampton, Harrington, Henderson, Hinnant, Hodge, Hoffman, Horton, Jarvis, Justice, Kerr, Love, Lowe, Mabson, Manning of Chatham, Marshall, Massey, McCabe, McCorkle, McEachin, Motz, Munden, Neal, Nicholson, Nowell, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Sinclair, Singeltary, Summers, Taylor, Thorne, Turner, Vaughan, Wilcox, Wilson and Woodfin.

The following delegates paired off:

Mr. President, Messrs. Bateman, Bingham, Black, Byrd, Crosby, Cunningham, Everett, Faircloth, Grantham, Hassell, Holton, King of Pitt, Kirby, Lehman, McCanless, McDonald, Morehead, O'Hara, Scott of Jones, Stallings, Tourgee, Wheeler and Withers.

Mr. McCabe moved that the Convention do now adjourn. The yeas and nays were ordered, and the Convention refused to adjourn, yeas 25, nays 46, as follows:

YEAS—Messrs. Barringer, Barrow, Bell, Bennett, Bliven, Bowman, Bryan, Cary, Davis, Dixon, Dockery, Goodwin, Hinnant, Hodge, Hoffman, Holton, Justice, King of Lenoir, Mabson, Manning of New Hanover, Massey, McCabe, Munden Thorne and Young.

NAYS—Messrs. Albertson, Allman, Anderson of Clay, Anderson of Madison, Avery, Bingham, Boyd, Bunn, Carter, Clingman, Cooper, Cowell, Dobson, Durham, Farrior, French, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, McCorkle, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Shober, Singeltary, Smythe, Spake, Summers, Turner, Watts, Wheeler and Wilcox.

The following delegates paired off:

Mr. President, Messrs. Bateman, Byrd, Coleman, Crosby, Cunningham, Everett, Faircloth, Grantham, Hassell, Jones of Yadkin, King of Pitt, Kirby, Lehman, Marshall, McCanless,

McDonald, O'Hara, Price, Scott of Jones, Sinclair, Stallings, Tourgee, Wilson and Withers.

Mr. Young then demanded the previous question.

The call was sustained.

The question recurred on the amendment proposed by Mr. Jarvis.

The yeas and nays were ordered, and the amendment prevailed, yeas 43, nays 33, as follows :

YEAS—Messrs. Anderson of Clay, Anderson of Madison, Bean, Bennett, Boyd, Bunn, Cary, Carter, Davis, Dobson, Dula, Durham, Faison, Farrior, George, Harrington, Hinnant, Holton, Jarvis, Jones of Yadkin, King of Lenoir, Lowe, Manning of Chatham, Marshall, Massey, McEachin, Motz, Munden, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Scott of Onslow, Shepherd, Singeltary, Stroud, Turner, Watts, Wheeler and Wilson.

NAYS—Messrs. Albertson, Avery, Barrow, Bingham, Bliven, Blocker, Bryan, Chamberlain, Clingman, Cowell, Dockery, French, Green, Hampton, Henderson, Jones of Caldwell, Jordan, Love, Mabson, Manning of New Hanover, McCabe, McCorkle, Morehead, Neal, Nowell, Page, Roberts of Gates, Shober, Smythe, Spake, Taylor, Thorne and Young.

The following delegates paired off :

Mr. President, Messrs. Allison, Allman, Bateman, Bell, Black, Bliven, Buxton, Byrd, Cooper, Crosby, Cunningham, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, McCanless, McDonald, O'Hara, Scott of Jones, Sinclair, Stallings, Tourgee, Vaughan, Wilcox and Withers.

Mr. Turner, by unanimous leave, offered to amend by striking out the words "in aid of any railroad corporation," in the 8th line.

The yeas and nays were ordered, and the amendment was rejected. Yeas 20, nays 65, as follows :

YEAS—Messrs. Anderson of Madison, Bennett, Boyd, Cary, Cowell, Davis, Dobson, Dula, Faison, Farrior, George, Hin-

nant, Holten, Jones of Yadkin, Justice, King of Lenoir, Patterson, Turner, Watts and Wheeler.

NAYS—Messrs. Albertson, Allman, Avery, Barringer, Barrow, Bell, Bingham, Bliven, Blocker, Buxton, Carter, Chamberlain, Clingman, Coleman, Dockery, Durham, French, Green, Hampton, Henderson, Hodge, Hoffman, Horton, Jarvis, Jones of Caldwell, Jordan, Love, Lowe, Mabson, Mannix, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCorkle, McEachin, Morehead, Motz, Munden, Neal, Nicholson, Nowell, Page, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Strowd, Summers, Taylor, Thorne, Vaughan, Wilcox and Woodfin.

The following delegates were paired :

Mr. President, Messrs. Allison, Anderson of Clay, Bateman, Bullock, Byrd, Coleman, Crosby, Cunningham, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, Love, McCanless, McDonald, O'Hara, Scott of Jones, Stallings, Tourgee, Withers and Young.

Mr. Boyd, by unanimous consent, offered the following substitute :

“The General Assembly shall have no power to enact any law levying a tax upon the people of this State for the purpose of paying any part of either the principal or interest of any bonds or other evidences of debt held or outstanding against the State of North Carolina, issued, contracted, or owing prior to the first day of July, A. D. 1865; or of any part of a certain class of bonds issued since that time in the name of the State, and denominated ‘Special Tax Bonds’; except it be provided in the act levying any tax for any such purpose that such act be submitted to the qualified voters of the State for ratification or rejection, and such act shall have no effect, until a majority of voters shall have ratified the same.”

The yeas and nays were ordered on demand, and the substitute was rejected, yeas 17, nays 70, as follows:

YEAS—Messrs. Avery, Bowman, Boyd, Chamberlain, Cooper, Davis, Dula, Goodwin, Holton, Jones of Yadkin, Justice, Massey, Munden, Turner, Wheeler, Wilson and Woodfin.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Madison, Barringer, Barrow, Bean, Bell, Bennett, Bingham, Blocker, Bullock, Buxton, Bryan, Carter, Clingman, Coleman, Cowell, Dobson, Dockery, Durham, Faison, Farrior, French, George, Green, Hampton, Hinnant, Hodge, Hoffman, Horton Jarvis, Jones of Caldwell, Jordan, Kerr, King of Lenoir Love, Lowe, Mannix, Manning of Chatham, Manning of New Hanover, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Strowd, Summers, Taylor, Thorne, Vaughan, Watts and Wilcox.

The following delegates paired off:

Mr. President, Messrs. Bateman, Bunn, Byrd, Cary, Crosby, Cunningham, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, McCabe, McCanless, McDonald, O'Hara, Scott of Jones, Stallings, Tourgee and Withers.

Mr. French, by unanimous leave, offered to amend by adding that "the General Assembly may, at any time, appoint a commission of citizens of the State to confer with the creditors or holders of the bonds of this State, with a view to a settlement or compromise of the State debt."

The yeas and nays were ordered, and the amendment did not prevail. Yeas 11, nays 76, as follows:

YEAS—Messrs. Barrow, Chamberlain, Clingman, French, Hodge, Hoffman, Horton, Justice, Nowell and Smythe.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Bean, Bell, Bennett, Bingham, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Coleman, Cooper, Davis, Dobson, Dockery, Dula, Faison, Farrior, George, Goodwin, Green, Hampton, Harrington,

ton, Henderson, Hinnant, Holton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Kerr, King of Lenoir, Love, Lowe, Mannix, Manning of Chatham, Marshall, Massey, McCorkle, McEachin, Morehead, Motz, Neal, Nichoison, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Shepherd, Shober, Sinclair, Singeltary, Spake, Strowd, Summers, Taylor, Thorne, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Woodfin and Young.

The following delegates paired off:

Mr. President, Messrs. Bateman, Bunn, Byrd, Crosby, Cunningham, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, McCabe, McCanless, McDonald, Munden, O'Hara, Scott of Jones, Stallings, Tourgee and Withers.

The question then recurred on Mr. Durham's substitute as amended. The substitute was not adopted.

The question then recurred on the passage of the ordinance on its second reading, the ordinance being the substitute proposed by the Committee on a Preamble and Bill of Rights, and adopted instead of the original ordinance introduced by Mr. Jarvis.

A division of the question was ordered.

The question recurred first on that part of the ordinance which designates the class of debts which the State shall never assume or pay; and it passed the second time.

The question then recurred on the passage of that part of the ordinance which prohibits the General Assembly from levying any tax or raising any money to pay the new bonds, without first submitting the question to the qualified voters of the State.

The yeas and nays were demanded, and this part of the ordinance was rejected, yeas 47, nays 50, as follows:

YEAS—Messrs. Anderson of Clay, Anderson of Madison, Bennett, Boyd, Bunn, Byrd, Carter, Chamberlain, Cooper, Cowell, Dobson, Dula, Faison, Farrior, George, Green, Harrington, Henderson, Holton, Jarvis, King of Pitt, Love, Manning of Chatham, Marshall, McCorkle, Morehead, Motz, Neal,

Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Gates, Scott of Onslow, Shepherd, Sinclair, Singeltary, Spake, Strowd, Summers, Turner, Vaughan, Watts, Wheeler and Wilson.

NAYS—Messrs. Albertson, Allison, Allman, Avery, Barringer, Barrow, Bean, Bell, Bingham, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Clingman, Coleman, Crosby, Davis, Dockery, Durham, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Horton, Jones of Caldwell, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Mannix, Manning of New Hanover, Massey, McCabe, Munden, Nowell, Page, Shober, Smythe, Taylor, Thorne, Wilcox, Woodfin and Young.

The following delegates were paired off:

Mr. President, Messrs. Bateman, Byrd, Cunningham, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, McCanless, McDonald, O'Hara, Scott of Jones, Stallings, Tourgee and Withers.

The following ordinances and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified in open Convention:

An ordinance to amend article 9 of the Constitution, providing for the preservation and investment of the public school fund.

An ordinance to add a section to article 4 of the Constitution of North Carolina.

A resolution of instruction to the public printer.

A resolution to pay the contestants from the county of Robeson.

An ordinance to amend article 13 of the Constitution.

The Convention adjourned until to-morrow at 10 A. M.

TWENTY-SIXTH DAY.

TUESDAY, October 5, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was said by Rev. Mr. Spake.

Leaves of absence were granted as follows :

To Mr. Carter for Thursday next ;

To Mr. Scott, of Jones, for Thursday next ;

To Mr. Bennett for three days, commencing with to-morrow.

Mr. Bennett offered the following protest, which was read and ordered to be spread upon the journal :

“ We protest against the action of the Convention yesterday, allowing *per diem* and mileage to the contestants from Robeson county. We are informed that one of the contestants has attended the Convention in support of his claims but few days, while the resolution of the body allows pay during the session of the Convention, unless modified. We think that no precedent can be found in the history of this State, which goes as far as the resolution of the Convention. It is a matter which invites, and will receive, thorough scrutiny.”

(Signed)

WM. KIRBY,
W. N. ALLMAN,
JOHN HARRINGTON,
JOSEPH MARSHALL,
C. L. SUMMERS,
J. T. MOREHEAD,
W. M. KING,
H. BINGHAM,
W. N. PATTERSON,

RISDEN T. BENNETT,
CHARLES PRICE,
JNO. W. CUNNINGHAM,
W. P. ROBERTS,
R. WATTS,
JNO. S. HENDERSON,
R. W. NICHOLSON,
S. J. FAISON,
J. S. ANDERSON,
C. R. BYRD.

On motion of Mr. Avery, O. No. 74: An ordinance to amend article 5, of the Constitution, was ordered to be printed.

Reports from Standing Committees were submitted as follows:

From the Committee on Municipal Corporations:

By Mr. Shepherd, O. No. 248: An ordinance to provide for the compiling of important statistics; with a recommendation that it do not pass.

From the Committee on Punishments, Penal Institutions and Public Charities:

By Mr. Coleman, O. No. 249: An ordinance to amend article 11, by adding an additional section; with an accompanying substitute.

From the Committee on Suffrage and Eligibility to Office:

By Mr. Shober, O. No. 251: An ordinance to amend section 2, article 6, of the Constitution; with a recommendation that it do not pass.

R. No. 91: A resolution to alter section 1, of the Constitution of North Carolina; with a request that the committee be discharged from the further consideration thereof.

O. No. 197: An ordinance to amend article 7, of the Constitution, to abolish the registration of electors and to allow electors to vote at any election precinct in the county in which they reside; with a recommendation that it do not pass.

O. No. 36: An ordinance prohibiting any one who has been convicted of an infamous offence from holding office or acting as juror, with a recommendation that it do not pass;

O. No. 127: An ordinance to amend article 14 of the Constitution of North Carolina, with a recommendation that it do not pass;

O. No. 145: An ordinance to amend article 6 of the Constitution, providing that no person, while kept at any poor house, &c., shall be entitled to vote, with a recommendation that it do not pass.

From the Committee on a Preamble and Bill of Rights:

By Mr. Turner, O. No. 198: An ordinance to amend section 24, article 1, of the Constitution, with an accompanying substitute.

The following ordinances and resolutions were introduced, read and passed the first time, and were referred, or otherwise disposed of, as follows:

By Mr. Thorne: An ordinance for the financial relief of the people of North Carolina. To the Committee on Amendments.

By Mr. Dockery: A resolution concerning the completion of the railroad from Old Fort to some point on the Tennessee line. Placed on the calendar.

By Mr. Bennett: A resolution instructing the Committee on the Judicial Department to inquire and report whether the Cheraw and Salisbury Railroad can be relieved of the gauge law.

On motion, the rules were suspended, and the resolution was read and adopted.

By Mr. Badger: A resolution instructing the Committee on Privileges and Elections to inquire whether Messrs. Manning, of Chatham, and Reid, of Rockingham, and Coleman, of Buncombe, are trustees of the University. Placed on the calendar.

By Mr. French: A resolution requiring the Secretary of this Convention to prepare the Journal for publication, and to pay him therefor.

On motion, the rules were suspended, and the resolution was read and adopted.

By Mr. Turner: A resolution proposing two sessions per day—at 9:30 A. M., and at 4 P. M. Placed on the calendar.

By Mr. Boyd: A resolution of instruction to the Committee on the Judicial Department to inquire if this Convention has the power to adopt such measures as may compel the Public Treasurer to refund to the county of Alamance certain railroad taxes.

On motion, the rules were suspended, and the resolution was read and adopted.

By Mr. Manning, of Chatham: An ordinance concerning the public debt. Placed on the calendar.

By Mr. Buxton: A resolution in regard to Robeson county contested case.

The resolution was read.

Mr. Buxton moved that the rules be suspended, and the resolution put upon its adoption.

The yeas and nays being demanded, the House refused to suspend the rules. Yeas 47, nays 51, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bliven, Blocker, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Hampton, Hinnant, Hoffman, Holton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Massey, McCabe, McCanless, Munden, Nowell, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner and Watts.

The following delegates paired off:

Messrs. Anderson of Madison, Bateman, Bell, Black, Bowman, Everett, Grantham, Hassell, Horton, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Tourgee, Vaughan, Wilson and Withers.

The resolution was placed on the calendar.

Mr. Bingham moved to re-consider the vote by which O. No. 200: An ordinance to amend section 6, article 1, of the Constitution, was rejected on its second reading.

Mr. Olingman moved to lay that motion on the table.

The yeas and nays being demanded, the motion to table prevailed. yeas 52, nays 49, as follows:

YEAS—Messrs. Albertson, Allison, Avery, Barringer, Barrow, Bean, Bell, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Chamberlain, Clingman, Coleman, Crosby, Davis, Dixon, Dockery, Durham, Faircloth, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Nowell, Page, Rumley, Scott of Jones, Shoher, Smythe, Taylor, Thorne, Wheeler, Woodfin and Young.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bennett, Bingham, Boyd, Bunn, Byrd, Carter, Cooper, Cowell, Cunningham, Dobson, Faison, Farrior, George, Green, Harrington, Henderson, Holton, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Watts and Wilson.

The following delegates were paired off:

Messrs. Bateman, Black, Bowman, Everett, Grantham, Hassell, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Tourgee, Vaughan and Withers.

Mr. Young moved to suspend the rules and take up R. No.

265: A resolution of instruction to the Committee on the Judicial Department, concerning divorces, and put it upon its adoption.

The motion prevailed, and the resolution was read and adopted.

At 12 M. the Chair announced that the hour had arrived for the special order, to-wit:

R. No. 45: A resolution to alter section 10, article 3, of the Constitution.

The pending question was on the motion to reconsider the vote by which the resolution passed its third reading.

Mr. Durham moved to lay that motion on the table.

The yeas and nays being demanded, the motion to table prevailed. Yeas 54, nays 48, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Birgham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Faison, Farrior, George, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bell, Bliven, Blocker, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Nowell, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Woodfin and Young.

The following delegates paired off:

Mr. President, Messrs. Bateman, Black, Bowman, Durham,

Everett, French, Grantham, Hassell, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Tourgee and Withers.

The Convention then proceeded to the consideration of the unfinished business of preceding day, to wit:

O. No. 98: An ordinance to abrogate and annul section 33, article 4, of the Convention.

The question recurring upon the passage of the ordinance on its second reading, the yeas and nays were demanded, and the ordinance passed the second time. Yeas 53, nays 49, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cunningham, Dobson, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bell, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

The following delegates paired off:

Mr. President, Messrs. Bateman, Black, Cowell, Durham, Everett, French, Grantham, Hassell, Horton, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Tourgee and Withers.

The consideration of general orders being in order, the Convention proceeded to consider O. No. 121: An ordinance

to abrogate and annul sections 15, 16 and 17 of the 4th article of the Constitution.

The ordinance was read the third time.

Mr. Albertson asked for a division of the question.

The question first recurred on the adoption of that part of the ordinance embraced between the 1st and 3d lines, and it was adopted.

The question next recurred on the adoption of the remainder of the ordinance, commencing, "But the General Assembly," &c.

Mr. Bennett called for the previous question, and the yeas and nays being demanded, the call for the previous question was sustained, yeas 53, nays 46, as follows:

YEAS—Messrs Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Watts and Wilson.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bell, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Chamberlain, Cowell, Davis, Dixon, Dockery, Dula, Faircloth, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCaless, Munden, Nowell, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Woodfin and Young.

The following delegates were paired off:

Messrs. Black, Everett, French, Grantham, Hassell, King of Pitt, Kirby, Lehman, McDonald, Tourgee, Vaughan and Withers.

Mr. Justice moved that the Convention do now adjourn.

The Chair decided that the motion to adjourn was out of order.

Mr. Badger appealed from the decision of the Chair to the decision of the House, and demanded the yeas and nays.

The yeas and nays were ordered.

Thereupon the Chair put the question: "Shall the decision of the Chair stand for the decision of the House?" and it was decided in the affirmative. Yeas 54, nays 47, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Watts and Wilson.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Bell, Bliven, Blocker, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

The following delegates paired off:

Mr. President, Messrs. Bateman, Black, Bowman, Everett, Grantham, Hassell, King of Lenoir, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Tourgee, Vaughan and Withers.

The yeas and nays being ordered, the ordinance then passed the third time, yeas 54, nays 45, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Har-

rington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Watts and Wilson.

NAYS—Messrs. Albertson, Barringer, Barrow, Bean, Bell, Bliven, Blocker, Boyd, Bullock, Buxton, Bryan, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton-Jones of Yadkin, Jordan, Justice, Kerr, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Nowell, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Woodfin and Young.

The following delegates were paired off:

Mr. President, Messrs. Anderson of Madison, Bateman, Black, Bowman, Everett, Grantham, Hassell, King of Lenoir, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Tourgee, Vaughan and Withers.

Mr. Badger moved to reconsider the vote just had, and to make that motion the special order for to-morrow at 12 M.

Mr. Durham moved to lay that motion on the table.

The yeas and nays were ordered, and resulted as follows, yeas 53, nays 2:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Watts and Wilson.

NAYS—Messrs. Albertson and Faircloth.

The following delegates paired off:

Mr. President, Messrs. Anderson of Madison, Bateman, Black, Bowman, Everett, Grantham, Hassell, King of Lenoir, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Tongee, Vaughan, Withers and Woodfin.

No quorum voting, the motion to table failed.

Mr. Justice moved that the Convention do now adjourn.

The yeas and nays were ordered, and the Convention refused to adjourn. Yeas 43, nays 52, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Bean, Bell, Bliven, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Jones of Yadkin, Jordan, Justice, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Menden, Nowell, Page, Scott of Jones, Smythe, Taylor, Thorne, Wilcox, Woodfin and Young.

NAYS—Messrs. Allman, Avery, Bennett, Bingham, Blocker, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Watts, Wheeler and Wilson.

The following delegates paired off:

Mr. President, Messrs. Bateman, Black, Bowman, Everett, Grantham, Hassell, Horton, King of Lenoir, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Tongee, Vaughan and Withers.

Mr. Badger moved that the Convention take a recess until 8 P. M. to day.

The yeas and nays being ordered, the Convention refused to take a recess. Yeas 20, nays 58, as follows:

YEAS—Messrs. Badger, Barrow, Bean, Bell, Buxton, Bryan,

Crosby, Davis, Dixon, Dula, Hinnant, Justice, Love, Manning of New Hanover, Massey, McCanless, Scott of Jones, Smythe, Wheeler and Wilson.

NAYS—Messrs. Allman, Anderson of Clay, Avery, Barringier, Bennett, Bingham, Boyd, Byrd, Carter, Chamberlain, Clingman, Coleman, Cowell, Dobson, Dockery, Durham, Faircloth, Faison, Farrior, George, Goodwin, Green, Harrington, Henderson, Holton, Jarvis, Jones of Caldwell, Mabson, Manning of Chatham, Marshall, McCabe, McCorkle, McEachin, Morehead, Motz, Munden, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Stallings, Summers, Taylor, Thorne, Turner, Watts and Woodfin.

The following delegates were paired off:

Mr. President, Messrs. Albertson, Anderson of Madison, Bateman, Black, Bowman, Bunn, Everett, Grantham, Hassell, Horton, King of Lenoir, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Strowd, Tourgee, Vaughan and Withers.

The Convention then adjourned until 4 P. M. to-day.

EVENING SESSION.

The Convention assembled pursuant to adjournment at 4 P. M., the President in the Chair.

Mr. French moved that the Convention do now adjourn.

The yeas and nays were demanded, and the Convention refused to adjourn, yeas 42, nays 48, as follows:

YEAS—Messrs. Badger, Barrow, Bean, Bell, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dockery, Dula, Faircloth, French, Goodwin, Hampton, Hinnant, Hodge, Hoffman, Holton, Jones of Adkin, Jordan, Justice, Lowe, Mabson, Manning of New Hanover, Massey,

McCabe, McCanless, Munden, Nowell, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Avery, Barringer, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Love, Manning of Chatham, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Redwine, Reid, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Summers, Turner, Watts and Wilson.

The following delegates were paired off:

Mr. President, Messrs. Albertson, Anderson of Madison, Bateman, Black, Bowman, Everett, Grantham, Hassell, Horton, King of Pitt, Kirby, Lehman, Marshall, McDonald, O'Hara, Spake, Tourgee, Vaughan, Wilcox and Withers.

The Convention then proceeded to consider the unfinished business of the morning session, to-wit: O. No. 121: An ordinance to abrogate and annul sections 15, 16 and 17 of the Constitution of North Carolina.

The pending question was Mr. Badger's motion to reconsider the vote by which the ordinance passed its third and final reading, and make that motion the special order for tomorrow at 12 M.

Mr. Clingman demanded the previous question.

The yeas and nays were ordered and resulted as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Turner, Watts and Wilson—50.

NAYS—None.

The following delegates paired off:

Mr. President, Messrs. Albertson, Barrow, Bateman, Black, Bowman, Cowell, Everett, Faircloth, Grantham, Hassell, King of Pitt, Kirby, Lehman, Marshall, McDonald, Tourgee, Vaughan and Withers.

No quorum voting, the call for the previous question was not sustained.

Mr. Jarvis moved to table Mr. Badger's motion to reconsider.

Mr. Badger moved that the Convention do now adjourn.

The yeas and nays were ordered, and the Convention refused to adjourn. Yeas 42, nays 51, as follows:

YEAS—Messrs. Badger, Barringer, Bean, Bell, Bliven, Blocker, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Eula, Faircloth, French, Goodwin, Hampton, Hinnant, Holton, Horton, Jones of Yadkin, Jordan, Justice, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Nowell, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Henderson, Jarvis, Jones of Caldwell, Love, Manning of Chatham, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates were paired off:

Mr. President, Messrs. Albertson, Barrow, Bateman, Black, Cowell, Everett, Grantham, Hassell, King of Lenoir, King of Pitt, Kirby, Lehman, Marshall, McDonald, O'Hara, Spake, Tourgee and Withers.

The question recurred on Mr. Jarvis' motion to table.

The yeas and nays were ordered, and resulted as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cunningham, Dobson, Durham, Farrior, George, Hampton, Harrington, Henderson, Jarvis, Love, Manning of Chatham, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Stallings, Stroud, Summers, Vaughan, Watts and Wilson—47.

NAYS—none.

The following delegates paired off:

Mr. President, Messrs. Albertson, Bateman, Black, Everett, Grantham, Hassell, Jones of Caldwell, King of Pitt, Kirby, Lehman, McDonald, O'Hara, Shepherd, Spake and Withers.

No quorum voting, the motion to table failed.

The question recurred upon the motion to re-consider.

Mr. Bowman demanded the yeas and nays.

The call was not sustained.

The question was then put on the motion to re-consider, and the motion did not prevail.

Mr. Justice moved that the Convention do now adjourn.

The yeas and nays were ordered, and the Convention refused to adjourn, yeas 39, nays 48, as follows:

YEAS—Messrs. Badger, Barringer, Bean, Bell, Bliven, Bowman, Bullock, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Hampton, Hodge, Holton, Jones of Yadkin, Jordan, Justice, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCaless, Munden, Nowell, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler and Woodfin.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cunningham, Dobson, Durham, Farrior, George, Green, Harrington, Henderson, Jarvis, Love, Manning of Chatham, McCorkle, McEachin, Morehead, Motz,

Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates were paired off :

Mr. President, Messrs. Albertson, Bateman, Black, Blocker, Buxton, Byrd, Cowell, Everett, Grantham, Hassell, Hinnant, King of Lenoir, King of Pitt, Kirby, Lehman, Marshall, McDonald, O'Hara, Shepherd, Spake, Tourgee, Wilson and Withers.

Mr. Badger moved that the Convention take a recess until 9 o'clock this evening.

The yeas and nays were ordered, and the motion failed. Yeas 23, nays 60, as follows :

YEAS—Messrs. Badger, Bean, Bullock, Bryan, Cary, Crosby, Davis, Dixon, Goodwin, Hampton, Hodge, Justice, Mabson, Manning of New Hanover, McCabe, McCanless, Munden, Scott of Jones, Taylor, Thorne, Wheeler, Wilson and Woodfin.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Bell, Bennett, Bingham, Bunn, Carter, Chamberlain, Clingman, Coleman, Cooper, Cunningham, Dobson, Dockery, Dula, Durham, Faircloth, Farrior, George, Green, Harrington, Henderson, Holton, Jarvis, Jones of Yadkin, Jordan, Love, Manning of Chatham, Massey, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Smythe, Stallings, Strowd, Summers, Turner, Vaughan and Watts.

The following delegates were paired off :

Mr. President, Messrs. Bateman, Black, Bowman, Cowell, Everett, Grantham, Jones of Caldwell, King of Lenoir, King of Pitt, Kirby, Lehman, Marshall, McDonald, O'Hara, Shepherd, Spake, Tourgee, Wilcox, Withers and Young.

Mr. Badger moved that the Convention do now adjourn.

The yeas and nays were ordered, and the Convention refused to adjourn. Yeas 36, nays 53, as follows:

YEAS—Messrs. Badger, Barringer, Bean, Bell, Bliven, Bowman, Boyd, Bullock, Bryan, Cary, Crosby, Davis, Dixon, Dockery, Fairecloth, French, Goodwin, Hampton, Hodge, Horton, Jordan, Justice, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, Munden, Nowell, Page, Patterson, Smythe, Taylor, Thorne, Wheeler and Woodfin.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Chamberlain, Clingman, Coleman, Cooper, Cunningham, Dobson, Dula, Durham, Farrior, George, Green, Harrington, Henderson, Hoffman, Jarvis, Jones of Yadkin, Love, Manning of Chatham, McCanless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shober, Sinclair, Singeltary, Turner, Vaughan, Watts and Wilson.

The following delegates paired off:

Mr. President, Messrs. Albertson, Barrow, Bateman, Black, Buxton, Byrd, Cowell, Everett, Hassell, Jones of Caldwell, King of Pitt, Kirby, Lehman, Marshall, McDonald, O'Hara, Tourgee, Wilcox and Withers.

The following ordinances, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified in open Convention.

An ordinance in relation to a Department of Agriculture, Immigration and Statistics;

An ordinance to amend section 25, of article 1, of the Constitution, relating to secret societies.

The consideration of general orders being now in order, the Convention entered upon the consideration of the report of the Committee on Suffrage and Eligibility on ordinances No. 232 and 39, to amend article 6 of the Constitution.

The question recurred on the adoption of the substitute proposed by the committee, which substitute reads as follows:

"Be it ordained by the people of North Carolina, in Convention assembled, That section 1, of article 6, of the Constitution, be amended by striking out the word "thirty" in line 4, and inserting in lieu thereof the word "ninety," and by adding at the end of said section the following words: "But no person who, upon conviction or confession in open court, shall hereafter be adjudged guilty of felony, or of any other crime infamous by the laws of this State, shall be entitled to vote at any election under the laws of this State, unless such person shall be restored to the rights of citizenship in a mode prescribed by law."

So that said section, as amended, shall read as follows:

SECTION 1. Every male person, born in the United States, and every male person who has been naturalized, twenty-one years old or upward, who shall have resided in this State twelve months next preceding the election, and ninety days in the county in which he offers to vote, shall be deemed an elector. But no person who, upon conviction or confession in open court, shall hereafter be adjudged guilty of felony, or of any other crime infamous by the laws of this State, shall be entitled to vote at any election under the laws of this State, unless such person shall be restored to the rights of citizenship in a mode prescribed by law."

The substitute was read and adopted in place of the original ordinances.

Mr. Smythe moved to amend by striking out all after the word "but" in line 6, and insert "but all persons who shall deny the being of Almighty God, since becoming citizens of the United States, or been convicted of corruption or malpractice in office, unless such person shall have been legally restored to the rights of citizenship shall be ineligible to hold office in this State."

Mr. Manning, of Chatham, called the previous question.

The call was seconded.

Mr. Dockery moved that the Convention do now adjourn.

The motion prevailed, and the Convention stood adjourned until to-morrow at 10 A. M.

TWENTY-SEVENTH DAY.

WEDNESDAY, October 6, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by the Rev. Mr. Hassell.

The Journal of yesterday was read and approved.

Indefinite leave of absence was granted Mr. Bell.

Mr. Coleman, for a majority of the Committee on the Judiciary, submitted a report recommending the adoption of an ordinance striking out section 31, article 4, of the Constitution, and providing that all vacancies occurring in the offices provided for by this article, shall be filled by the Governor, unless otherwise provided for, &c.

The report was read and received.

The unfinished business of yesterday was next in order.

The question recurred on Mr. Maunings's motion for the previous question.

Mr. French moved that the Convention take a recess until Saturday next at 12 M.

Mr. Badger moved to amend by striking out "Saturday 12 M.," and inserting "Friday 10 A. M."

The question recurred first on the call for the previous question, and it was sustained.

The question then recurred on Mr. Badger's motion to strike out and insert.

The yeas and nays were ordered, and the motion was lost. Yeas 20, nays 85, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Black, Bliven, Bryan, Crosby, Davis, Dixon, Goodwin, Green, Horton, Justice, McCanless, Page, Smythe and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bowman, Bullock, Bunn, Buxton, Byrd, Cary, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Dockery, Dula, Durham, Faircloth, Faison, Farrior, French, George, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hoffman, Holton, Jarvis, Jones of Yadkin, Jordan, King of Lenoir, King of Pitt, Kirby, Lehman, Love, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCorkle, McEachin, Morehead, Motz, Munden, Neal, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Taylor, Thorne, Turner, Vanghan, Watts, Wilson and Woodfin.

The following delegates were paired off:

Messrs. Everett, McDonald, Tourgee and Withers.

The question then recurred on the motion to adjourn until Saturday.

The yeas and nays were ordered, and the motion did not prevail. Yeas 22, nays 84, as follows:

YEAS—Messrs. Badger, Barringer, Barrow, Bateman, Black, Bliven, Cary, Crosby, Davis, Dixon, Goodwin, Hampton, Horton, Justice, Lowe, Manning of New Hanover, Page, Scott of Jones, Smythe, Thorne and Woodfin.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bean, Bennett, Bingham, Blocker, Bowman, Bullock, Bunn, Buxton, Bryan, Byrd, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham,

Dobson, Dockery, Dula, Durham, Fairecloth, Faison, Farrior, George, Grantham, Green, Harrington, Hassell, Henderson, Hinnant, Hoffman, Holton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, King of Lenoir, King of Pitt, Kirby, Lehman, Love, Manning of Chatham, Marshall, Massey, McCabe, McCanless, McCorkle, McEachin, Morehead, Motz, Munden, Neal, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Taylor, Turner, Vaughan, Watts, Wheeler and Wilson.

The following delegates were paired off:

Messrs. Everett, McDonald, Tourgee and Withers.

The question recurred on the amendment proposed by Mr. Smythe.

The yeas and nays were ordered, and the amendment did not prevail. Yeas none, nays 106:

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bateman, Bean, Bennett, Bingham, Black, Bliven, Bowman, Bullock, Bunn, Buxton, Bryan, Byrd, Cary, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Davis, Dixon, Dobson, Dockery, Dula, Durham, Fairecloth, Faison, Farrior, George, Goodwin, Grantham, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hodge, Hoffman, Holton, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Justice, King of Lenoir, King of Pitt, Kirby, Lehman, Love, Lowe, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCanless, McCorkle, McEachin, Morehead, Motz, Munden, Neal, Nicholson, Nowell, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Stallings, Strowd, Summers, Taylor, Thorne, Turner, Vaughan, Watts, Wilson and Young.

The following delegates paired off:

Messrs. Everett, McDonald, Tourgee and Withers.

The question recurred on the passage of the ordinance on its second reading.

Mr. Justice, by leave, offered to amend by striking out "ninety" and inserting "forty" in the 5th line.

The yeas and nays were ordered, and the amendment was rejected. Yeas 52, nays 57, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bate-man, Bean, Black, Bliven, Blocker, Bowman, Bullock, Bux-ton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dock-ery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Henderson, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Ander-son of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Car-ter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dob-son, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rum-ley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates paired off:

Messrs. Everett, Marshall, McDonald, Tourgee, Wilcox and Withers.

Mr. Cary, by leave, offered to amend by adding: "*Provided*, That no person or persons disfranchised under the provisions of this ordinance shall be required to pay public tax."

The yeas and nays were ordered, and the amendment was rejected, yeas 41, nays 68, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow,

Bean, Black, Bliven, Bowman, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Goodwin, Grantham, Hampton, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, King of Lenoir, Lowe, Mabson, Manning of New Hanover, McCabe, McCanless, Munden, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

YAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bateman, Bennett, Bingham, Blocker, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Dula, Durham, Faircloth, Faison, Farrrior, French, George, Green, Harrington, Hassell, Henderson, Hinnant, Hodge, Jarvis, Jones of Caldwell, Justice, King of Pitt, Kirby, Lehman, Love, Manning of Chatham, Massey, McCerkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates were paired :

Messrs. Everett, McDonald, Tourgee and Withers.

The question recurring on the passage of the ordinance on its second reading, Mr. Buxton called for a division of the question, the first proposition to include all that part of the ordinance embraced within the first and fifth lines, and the second proposition to consist of the remaining part of the ordinance.

The Chair ruled that it would be out of order to vote on the first proposition, as the Convention had just adopted that proposition by refusing to strike out "ninety" and insert "thirty," as proposed by Mr. Justice.

The question recurring on the second proposition, the yeas and nays were demanded, and the proposition was adopted, yeas 63, nays 44, as follows :

YEAS—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham,

Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Dula, Durham, Faircloth, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hinnant, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, Massey, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

YEAS—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Black, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, French, Goodwin, Grantham, Hampton, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, McCabe, McCanless, Munden, O'Hara, Page, Smythe, Taylor, Thorne, Wheeler, Woodfin and Young.

The following delegates were paired :

Messrs. Everett, McDonald, Tourgee and Withers.

The question recurring on the passage of the ordinance on its second reading, and the yeas and nays being ordered, the ordinance passed the second time. Yeas 58, nays 49, as follows :

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hinnant, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Vaughan, Watts and Wilson.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bate-

man, Bean, Black, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Faireloth, French, Goodwin, Grantham, Hampton, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, McCabe, McCanless, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

The following delegates paired off:

Messrs. Everett, McDonald, Tourgee and Withers.

Mr. Badger moved to suspend the rules and place the ordinance on its third reading, and demanded the yeas and nays on the motion.

Mr. French moved that the Convention take a recess until 4 P. M. to-day.

Mr. Page moved to amend by saying 3½ P. M. to-day.

Mr. Holton moved to amend by saying 3 P. M. to-day.

Mr. Manning, of Chatham, moved to lay the motion on the table.

Mr. Badger moved that the Convention do now adjourn.

Upon that motion the yeas and nays were ordered, and the Convention refused to adjourn, yeas 23, nays 80, as follows:

YEAS—Messrs. Badger, Barringer, Barrow, Bateman, Bliven, Bullock, Bryan, Cary, Crosby, Davis, Dixon, French, Grantham, Hampton, Hodge, Horton, Jones of Yadkin, Mabson, Munden, Page, Smythe, Thorne and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bean, Bennett, Bingham, Blocker, Boyd, Bunn, Buxton, Byrd, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Dula, Faircloth, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hinnant, Hoffman, Holton, Jarvis, Jones of Caldwell, Jordan, King of Lenoir, King of Pitt, Kirby, Lehman, Love, Lowe, Manning of C., Manning of N. H., Marshall, Massey, McCabe, McCanless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine,

Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Taylor, Turner, Vaughan, Watts, Wilcox, Wilson and Woodfin.

The following gentlemen were paired :

Messrs. Everett, McDonald, Tourgee and Withers.

The question recurred on the motion to table.

The yeas and nays were ordered, and the motion prevailed, yeas 59, nays 6, as follows :

YEAS—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Dockery, Justice, King of Lenoir, Lehman, McCannless and Nowell.

The following delegates were paired off:

Messrs. Everett, McDonald, Tourgee and Withers.

The question recurring on Mr. Badger's motion to suspend the rules, Mr. French moved that the Convention do now adjourn.

The yeas and nays were ordered, and the Convention refused to adjourn, yeas 21, nays 76, as follows :

YEAS—Messrs. Badger, Barringer, Bateman, Cary, Crosby, Davis, Dixon, Dockery, French, Goodwin, Grantham, Hampton, Hodge, Justice, Lehman, Lowe, Mabson, Manning of New Hanover, Smythe, Taylor and Thorne.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bean, Bennett, Bingham, Blocker, Bunn, Buxton, Bryan, Byrd, Carter, Clingman, Coleman,

Cooper, Cowell, Cunningham, Dobson, Dula, Durham, Faircloth, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hinnant, Holton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCabe, McCaless, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Woodfin and Young.

The following delegates paired off:

Messrs. Everett, McDonald, Tourgee and Withers.

Mr. Manning, of Chatham, called the previous question.

The yeas and nays were ordered, and the call was sustained, yeas 59, nays 3, as follows:

YEAS—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faircloth, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Chamberlain, Hinnant and Nowell.

The following delegates were paired: Messrs. Everett, McDonald, Tourgee and Withers.

The question recurred on Mr. Badger's motion to suspend the rules.

The yeas and nays were ordered, and the result was as follows:

YEAS—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham,

Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson—59.

NAYS—Messrs. Albertson, Badger, Bateman, Bean, Blocker, Boyd, Buxton, Bryan, Cary, Crosby, Davis, Dockery, Dula, French, Goodwin, Grantham, Holton, Jones of Yadkin, Jordan, Justice, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, O'Hara, Page, Scott of Jones, Taylor, Thorne, Wheeler, Woodfin and Young—34.

The following delegates paired off:

Messrs. Everett, McDonald, Tourgee and Withers.

Less than sixty-one (61) members voting in the affirmative, the motion to suspend the rules failed.

The consideration of ordinances on third reading being next in order, the Convention proceeded to consider O. No 98: An ordinance to abrogate and annul section 33, article 4, of the Constitution.

The ordinance was read the third time.

Mr. Badger moved that the Convention do now adjourn.

The yeas and nays were ordered, and the Convention refused to adjourn, yeas 36, nays 63, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Bateman, Bean, Black, Blocker, Bullock, Buxton, Bryan, Cary, Crosby, Davis, Dockery, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Justice, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Page, Taylor, Thorne, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson,

Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, King of P tt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wheeler and Wilson.

The following delegates were paired :

Messrs. Everett, McDonald, Tourgee and Withers.

The following ordinances and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified :

An ordinance to amend article 3, section 10, of the Constitution ;

An ordinance to abrogate and annul sections 15, 16 and 17, of article 4, of the Constitution.

Resolution requiring the Secretary of this Convention to prepare the journal for publication, and to pay him therefor.

Mr. Durham moved that the Convention take a recess until 4 P. M. to-day.

Mr. French offered to amend by striking out 4, and inserting 8.

The amendment did not prevail.

The question recurring on Mr. Durham's motion, it prevailed.

The Convention then stood adjourned until 4 P. M. to-day.

EVENING SESSION.

October 6, 1875.

The Convention assembled at 4 P. M., pursuant to adjournment, the President in the Chair.

Leaves of absence were granted as follows :

To Mr. Mannix for four days from yesterday ;

To Mr. Dixon until Tuesday next.

The Convention proceeded to consider the unfinished business of the morning session, to wit :

O. No. 98 : An ordinance to abrogate and annul section 33, article 4, of the Constitution.

The pending question was upon the passage of the ordinance on its third reading.

Mr. Manning, of Chatham, offered the following substitute :

" Be it ordained by the people of North Carolina, in Convention assembled, That section 33, article 4, of the Constitution be amended to read as follows :

" SECTION —. The several Justices of the Peace shall have jurisdiction, under such regulations as the General Assembly shall prescribe, of civil actions founded on contract, wherein the sum demanded shall not exceed two hundred dollars, and wherein the title to real estate shall not be in controversy ; and of all criminal matters arising within their counties where the punishment cannot exceed a fine of fifty dollars, or imprisonment for thirty days. And the General Assembly may give to Justices of the Peace jurisdiction of other civil actions wherein the value of the property in controversy does not exceed fifty dollars. When an issue of fact shall be joined before a Justice, on demand of either party thereto he shall cause a jury of six men to be summoned who shall try the same. The party against whom judgment shall be rendered in any civil action may appeal to the Superior Court from

the same. In all cases of a criminal nature, the party against whom judgment is given may appeal to the Superior Court, where the matter shall be heard anew. In all cases brought before a Justice, he shall make a record of the proceedings, and file the same with the Clerk of the Superior Court for his county."

Mr. Manning, of Chatham, called the previous question.

Mr. French moved that the Convention take a recess until 8 P. M. to-day.

The question recurred on the call for the previous question.

The yeas and nays were ordered, and the call for the previous question was sustained, yeas 55, nays 41.

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Badger, Barringer, Barrow, Black, Blocker, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Nowell, O'Hara, Page, Taylor, Thorne and Wheeler.

The following delegates paired off:

Messrs. Albertson, Bowman, Bunn, Byrd, Everett, McDonald, Tourgee and Withers.

The question then recurred on Mr. French's motion to take a recess.

Mr. Page moved to amend by striking out 8 P. M. and inserting 7:30 P. M. in lieu thereof.

The yeas and nays were ordered, and the amendment did not prevail, yeas 8, nays 90.

YEAS—Messrs. Badger, Barringer, Bryan, Davis, Goodwin, Jones of Yadkin, Munden and Page.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barrow, Bean, Bennett, Bingham, Black, Blocker, Bullock, Bunn, Buxton, Cary, Carter Chamberlain, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Dixon, Dobson, Dula, Durham, Faircloth, Faison, Farrior, French, George, Grantham, Hampton, Harrington, Hassell, Henderson, Hinnant, Hoffman, Holton, Horton, Jarvis, Jones of Caldwell, Jordan, King of Pitt, Kirby, Lehman, Love, Lowe, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCanless, McCorkle, McEachin, Morehead, Neal, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Taylor, Thorne, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson and Woodfin.

The following delegates paired off:

Messrs. Everett, McDonald, Tourgee and Withers.

The question then recurring on the motion made by Mr. French to take a recess until 8 P. M., the yeas and nays were ordered, and the motion did not prevail. Yeas 6, nays 89:

YEAS—Messrs. Badger, Barringer, Black, Bryan, Cary and Goodwin.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Avery, Barrow, Bateman, Bean, Bennett, Bingham, Bunn, Buxton, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Dobson, Dockery, Dula, Durham, Faircloth, Faison, Farrior, George, Grantham, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hoffman, Holton, Horton, Jarvis, Jones of Caldwell, Jones of

Yadkin, Jordan, Kerr, King of Pitt, Kirby, Lehman, Love, Lowe, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCanless, McCorkle, McEachin, Morehead, Neal, Nicholson, Nowell, O'Hara, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Stallings, Strowd, Summers, Taylor, Thorne, Turner, Vaughan, Watts, Wheeler, Wilson and Woodfin.

The following delegates were paired :

Messrs. Everett, McDonald, Tourgee and Withers.

The question then recurring on the adoption of the substitute proposed by Mr. Manning, of Chatham, it was adopted.

The ordinance, as amended, then passed the third time.

Mr. Holton moved that the rules be suspended and that O. No. 258: An ordinance to submit the question of pardon of W. W. Holden to the people of the State, be taken up.

The yeas and nays being ordered, the House refused to suspend the rules. Yeas 46, nays 56, as follows :

YEAS—Messrs. Badger, Barringer, Barrow, Bateman, Bean, Black, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Nowell, O'Hara, Page, Taylor, Thorne, Wheeler, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake,

Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates were paired off:

Messrs. Bowman, Byrd, Everett, McDonald, Tourgee and Withers.

Mr. French moved that the Convention do now adjourn.

The yeas and nays being ordered, the Convention refused to adjourn, yeas 39, nays 60:

YEAS—Messrs. Badger, Barringer, Barrow, Bateman, Bean, Black, Bliven, Bullock, Buxton, Bryan, Cary, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Gantham, Hampton, Hinnant, Hoffman, Jones of Yadkin, Jordan, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Munden, Nowell, Page, Taylor, Thorne, Wilcox and Young.

NAYS—Messrs. Allisen, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Blocker, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Holton, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wheeler, Wilson and Woodfin.

The following delegates paired off:

Messrs. Bowman, Byrd, Everett, McDonald, Tourgee and Withers.

Mr. Jarvis called for the reading of the next ordinance on calendar.

The Secretary proceeded to read O. No. 243: An ordinance to add three sections to article 4 of the Constitution.

At the conclusion of the reading Mr. Badger addressed the Chair.

Mr. Jarvis also addressed the Chair, moving the previous question.

Mr. Badger objected to the motion, claiming the right to the floor.

Mr. Jarvis also claimed the right to the floor, as he had not yielded it since calling for the reading of the ordinance.

Mr. Badger objected, on the ground that Mr. Jarvis could not retain the right to the floor during the reading of the ordinance called for by him.

The Chair decided that Mr. Jarvis was entitled to the floor.

Thereupon Mr. Badger appealed from the decision of the Chair to the decision of the House.

The Chair put the question, "Shall the decision of the Chair stand for the decision of the House?"

The yeas and nays were ordered, and the decision of the Chair was sustained, yeas 56, nays 46:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Badger, Barringer, Barrow, Bateman, Bean, Black, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dixon, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCaless, Munden, O'Hara, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

The following delegates paired : Messrs. Bowman, Byrd, Everett, McDonald, Tourgee and Withers.

The question recurring upon the call for the previous question, Mr. Badger moved that the Convention do now adjourn.

The yeas and nays were ordered, and the Convention refused to adjourn. Yeas 34, nays 66 :

YEAS—Messrs. Badger, Barringer, Barrow, Bateman, Bean, Bliven, Blocker, Bullock, Buxton, Brvan, Cary, Crosby, Davis, Dixon, Dockery, French, Goodwin, Grantham, Hampton, Hinnant, Horton, Jones of Yadkin, Jordan, Lehman, Lowe, Massey, McCanless, Munden, Page, Smythe, Taylor, Thorne, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Black, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Dula, Durham, Faircloth, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Lenoir, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCabe, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wheeler, Wilcox and Wilson.

The following delegates paired off :

Messrs. Bowman, Byrd, Everett, McDonald, Tourgee and Withers.

The question then recurred on the call for the previous question, and the yeas and nays being demanded, the call was sustained, yeas 58, nays 39 :

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of M., Avery, Bateman, Bennett, Bingham, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin,

Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Badger, Barrow, Bean, Bliven, Blocker, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dockery, Dula, French, Grantham, Hampton, Hinnant, Holton, Horton, Jones of Yadkin, Jordan, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, Muuden, O'Hara, Page, Smythe, Taylor, Thorne, Wheeler, Woodfin and Young.

The following delegates paired off:

Messrs. Albertson, Bowman, Bunn, Byrd, Everett, McDonald, Tourgee and Withers.

The question recurred on the adoption of the substitute proposed by the Committee, and it was adopted.

The question next recurring on the passage of the ordinance, as amended on its second reading, the yeas and nays were ordered, and it passed the second time. Yeas 58, nays 33, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Bateman, Bennett, Bingham, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Barrow, Bliven, Blocker, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dockery, Dula, French, Grantham, Hampton, Hoffman, Horton, Jones of Yadkin, Jordan, King of Lenoir, Lehman, Lowe, Mabson, Manning of

of New Hanover, Massey, McCabe, McCanless, O'Hara, Page, Taylor, Thorne, Wheeler, Woodfin and Young.

The following delegates paired off:

Messrs. Albertson, Bowman, Bunn, Byrd, Everett, McDonald, Tourgee and Withers.

Mr. Badger moved that the rules be suspended, and the Convention proceeded to consider O. No. 115: An ordinance to alter section 26, article 4, of the Constitution.

The motion prevailed, and the ordinance was read the second time.

The substitute proposed by the Committee on the Judicial Department was adopted, and the ordinance, as amended, passed the second time.

The Convention then adjourned until 10 A. M. to-morrow.

TWENTY-EIGHTH DAY.

THURSDAY, October 7, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Dr. M. M. Marshall.

The Journal of yesterday was read and approved.

Mr. Turner offered a petition from W. A. Rhodes, James A. Rogers, and other citizens against paying the special tax and penitentiary bonds without consent of the people.

Mr. Turner moved to suspend the rules, and enter upon the consideration of the petition.

The yeas and nays were demanded, and the motion failed, yeas 60, nays 42, as follows:

YEAS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bean, Bennett, Boyd, Bullock, Bunn, Byrd, Cham-

berlain, Cooper, Cowell, Cunningham, Dobson, Dockery, Dula, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hodge, Holton, Jones of Yadkin, Justice, King of Pitt, Kirby, Love, Lowe, Mabson, Manning of Chat-ham, McCabe, McCorkle, McEachin, Nea', Nicholson Nowell, O'Hara, Patterson, Price, Redwine, Reid, Roberts of David-son, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Smythe, Spake, Stallings, Strowd, Summers, Taylor, Turner, Wheeler, Wilson and Woodfin.

NAYS—Messrs. Allison, Avery, Barringer, Barrow, Bate-man, Bell, Bingham, Black, Bowman, Buxton, Bryan, Cling-man, Coleman, Crosby, Davis, Durham, Faircloth, French, Goodwin, Grantham, Hinnant, Hoffman, Horton, Jarvis, Jones of Caldwell, Jordan, King of Lenoir, Lehman, Manning of New Hanover, Marshall, Massey, McCanless, McDonald, Morehead, Motz, Page, Robbins, Shober, Sinclair, Thorne, Vaughan and Watts.

The following delegates were paired off: Messrs. Tourgee and Withers.

Messrs. Albertson, Badger, Blocker and Munden were ex-cused.

The petition was placed upon the calendar.

Mr. Turner offered a petition against the interference of railroads in State and political affairs.

Read and placed on the calendar.

Reports from Standing Committees were submitted as follows:

From the Committee on Municipal Corporations:

By Mr. Shepherd, O. No. 161: An ordinance to amend sec-tion 5, article 7, of the Constitution; with the recommenda-tion that it do not pass.

By Mr. Manning, of New Hanover, from the Committee on Amendments, O. No. 276: An ordinance for the financial relief of the people of North Carolina; with the recommen-dation that it do not pass.

The following ordinances and resolutions were introduced,

read and passed the first time, and referred or otherwise disposed of, as follows:

By Mr. McCanless: An ordinance to amend article 7, section 7, of the Constitution. Placed on the calendar.

By Mr. Badger: A resolution on *sine die* adjournment. Placed on the calendar.

By Mr. Morehead: A resolution to adjourn *sine die* on the 18th. Placed on the calendar.

By Mr. Boyd: A resolution of instruction to the Judiciary Committee, relative to the settlement of the public debt. Placed on the calendar.

By Mr. Badger: Resolution to abolish the Senate and give to the Governor by and with the advice and consent of his counsel of State a limited veto power. Placed on the calendar.

By Mr. Thorne: An ordinance abolishing certain tests of suffrage and eligibility to office. Placed on the calendar.

By Mr. Kerr: An ordinance to submit the proposed amendment to section 3, of article 9, of the Constitution, to a separate vote from the proposed amendments to other parts of the Constitution. Placed on the calendar.

Mr. Reid moved to suspend the rules, and take up O. No. 255: An ordinance to amend "an ordinance to submit amendments of this Constitution to the people."

The motion prevailed, and the ordinance was read the second time.

The substitute proposed by the Committee on Revision was read and adopted.

Mr. Badger offered to amend by adding, "and the Governor and Secretary of State shall have the amendments published weekly for six weeks immediately before the election in two newspapers published in the city of Raleigh."

Mr. Durham demanded the previous question.

The call was sustained.

The question recurring on Mr. Badger's amendment, it was rejected, and the ordinance passed the second time.

The rules were suspended, and the ordinance was read and passed the third time.

Mr. Boyd moved to suspend the rules, and take up a resolution introduced by himself this morning, it being a resolution of instruction to the Committee on the Judicial Department relative to the settlement of the public debt.

The yeas and nays were ordered, and the motion prevailed, yeas 63, nays 41, as follows :

YEAS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Bateman, Bean, Bennett, Bingham, Black, Boyd, Bullock, Byrd, Cooper, Cowell, Cunningham, Davis, Dobson, Dula, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Holton, Horton, Justice, Kerr, King of Pitt, Kirby, Love, Lowe, Manning of Chatham, Marshall, McCannless, McCorkle, McEachin, Motz, Munden, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Spake, Stallings, Strowd, Summers, Taylor, Turner, Watts, Wilson and Woodfin.

NAYS—Messrs. Allison, Avery, Barringer, Barrow, Bell, Bliven, Blocker, Bowman, Bunn, Buxton, Bryan, Cary, Chamberlain, Clingman, Coleman, Crosby, Durham, Faircloth, French, Goodwin, Grantham, Hinnant, Hodge, Jones of Caldwell, Jones of Yadkin, Jordan, King of Lenoir, Lehman, Mabson, Manning of New Hanover, Massey, McCabe, McDonald, Morehead, Neal, Page, Sinclair, Smythe, Thorne, Vaughan and Wilcox.

The following delegates paired off :

Messrs. Tourgee and Withers.

The resolution was then read and adopted.

The Convention next entered upon the consideration of ordinances Nos. 232 and 39, to amend section 1, article 4, of the Constitution, by requiring ninety days residence as a qualification for voting, and disfranchising felons.

The ordinance, as perfected on the second reading, was read the third time.

Mr. Cary offered to amend by adding the following proviso :

“ Provided, That no person or persons disfranchised under the provisions of this ordinance, shall be required to pay taxes.”

Mr. Buxton offered to amend by striking out “ ninety ” in line 5, and inserting “ sixty.”

Mr. Durham called the previous question.

The call was sustained.

The question recurring on Mr. Cary’s amendment, it was rejected.

The question then recurred on Mr. Buxton’s amendment.

The yeas and nays were ordered, and the amendment was rejected. Yeas 47, nays 59, as follows :

YEAS—Messrs. Albertson, Badger, Bateman, Bean, Bell, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Crosby, Davis, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O’Hara, Page, Smythe, Taylor, Thorne, Wheeler, Wilcox and Woodfin.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Bennett, Biingham, Bunn, Byrd, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates paired off :

Messrs. Carter, Scott of Jones, Tourgee and Withers.

The question recurring on the passage of the ordinance the third time, a division of the question was ordered.

The question recurred first on the part of the ordinance requiring ninety days residence as a qualification to vote. The yeas and nays were ordered, and the proposition was adopted. Yeas 57, nays 49, as follows :

YEAS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hinnant, Jarvis, Jones of Caldwell, King of Pitt, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dockery, Faircloth, French, Goodwin, Grantham, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Smythe, Taylor, Thorne, Wheeler, Wilcox and Woodfin.

The following delegates were paired off :

Messrs. Carter, Scott of Jones, Tourgee and Withers.

The question recurred on the second proposition, disfranchising felons.

Mr. Page offered to amend by inserting after the word "felony," in line eight, section one, the word "miscegenation."

The yeas and nays were ordered, and the amendment was rejected. Yeas 41, nays 63, as follows :

YEAS—Messrs. Albertson, Badger, Bateman, Bean, Bell,

Black, Bliven, Blocker, Boyd, Buxton, Bryan, Cary, Crosby, Davis, Dockery, French, Goodwin, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of V adkin, Jordan, Justice, Lehman, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, O'Hara, Page, Smythe, Taylor, Thorne, Wheeler, Wilcox and Young.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Bennett, Bingham, Bullock, Bunn, Byrd, Carter, Chamberlain, Clingman, Coleman, Cowell, Cunningham, Dobson, Durham, Everett, Faircloth, Faison, Farrior, George, Grantham, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Lenoir, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates were paired off:

Messrs. Carter, Scott of Jones, Tourgee and Withers.

The second proposition was then adopted.

The ordinance then passed the third time, yeas 58, nays 49, as follows:

YEAS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Dula, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hinnant, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan and Watts.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Boyd, Bullock, Bux-

ton, Bryan, Cary, Camberlain, Crosby, Davis, Dockery, Faircloth, French, Goodwin, Grantham, Hodge, Holton, Horton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

The following delegates paired off :

Messrs. Allison, Bowman, Carter, Kerr, Scott of Jones, Tourgee, Wilson and Withers.

Leave of absence was granted Mr. Tourgee for four days, and to Mr. Hughes, Assistant Doorkeeper, until Tuesday next.

On motion of Mr. Durham, the Convention took a recess until 4:30 P. M. to-day.

EVENING SESSION.

October 7, 1875.

The Convention re-assembled at 4:30 P. M.

Mr. Munden introduced a resolution relating to printing the Constitutional amendments, which was read and placed on the calendar.

The consideration of general orders being in order, the Convention proceeded to the consideration of the following ordinances on third reading :

O. No. 115: An ordinance to alter section 26, article 4, of the Constitution.

The ordinance was read the third time.

Mr. Massey offered the following amendment :

Strike out all after the word "courts" in line 6, down to

and including the word "amendment" in seventh line; and strike out all after the word "years" in line 9; so that the section, as amended, shall read thus: "Strike out sections 26 and 27, article 4, of the Constitution and insert the following: The Justices of the Supreme Court shall be elected by the qualified voters of the State as is provided for the election of members of the General Assembly. They shall hold their offices for eight years. The Judges of the Superior Courts shall be elected in like manner as is provided for Justices of the Supreme Court, and shall hold their offices for eight years."

The question recurred on the amendment offered by Mr. Massey, and, the yeas and nays being ordered, it did not prevail. Yeas 40, nays 58, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Bateman, Bean, Black, Bliven, Blocker, Buxton, Bryan, Crosby, Davis, Dockery, Dula, Faircloth, French, Goodwin, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCaules, McDonald, Munden, O'Hara, Page, Taylor, Thorne and Wheeler.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barrow, Bennett, Bingham, Bunn, Byrd, Chamberlain, Clingman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilcox and Wilson.

The following delegates were paired off:

Messrs. Carter, Scott of Jones, Tourgee and Withers.

Mr. Hodge moved to amend by striking out "eight" and

inserting "four" in lieu thereof wherever it occurs in the ordinance.

Mr. Durham moved the previous question, and the main question was ordered.

The question recurring on the amendment proposed by Mr. Hodge, the yeas and nays were ordered, and it did not prevail. Yeas 5, nays 95, as follows:

YEAS—Messrs. Byrd, Cooper, Everett, Hodge and Wilson.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bateman, Bean, Bell, Bennett, Bingham, Bliven, Blocker, Bulluck, Bunn, Buxton, Bryan, Cary, Chamberlain, Clingman, Cowell, Cunningham, Davis, Dobson, Dockery, Dula, Durham, Faircloth, Faison, Farrior, French, George, Goodwin, Grantham, Green, Harrington, Hassell, Henderson, Hinnant, Hoffman, Holton, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, King of Pitt, Kirby, Love, Lowe, Mabson, Manning of Chatham, Manning of New Hanover, Marshall, Massey, McCabe, McCanless, McCorkle, McDonald, McEachin, Morehead, Motz, Munden, Neal, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Taylor, Thorne, Turner, Vaughan, Watts and Wheeler.

The following delegates paired off:

Messrs. Carter, Scott of Jones, Tourgee and Withers.

The question then recurring on the passage of the ordinance on its third reading, it passed the third time.

O. No. 243: An ordinance to add three sections to article 4, of the Constitution.

The ordinance was read the third time.

Mr. Faircloth moved to amend by striking out the second section.

Mr. Durham moved the previous question, and the main question was ordered.

The question recurring on the amendment proposed by Mr. Faircloth, the yeas and nays were ordered, and it did not prevail. Yeas 40, nays 62, as follows :

YEAS—Messrs. Barrow, Bean, Black, Bliven, Blocker, Bowman, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dobson, Dockery, Dula, Faircloth, Goodwin, Grantham, Hinnant, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Page, Smythe, Taylor, Thorne, Vaughan and Wheeler.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Bateman, Bell, Bennett, Bingham, Bullock, Bunn, Byrd, Clingman, Cooper, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hoffman, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Watts, Wilson and Woodfin.

The following delegates were paired off:

Messrs. Carter, Scott of Jones, Tourgee and Withers.

The question then recurred on the passage of the ordinance on its third reading, and the yeas and nays being ordered, it passed the third time, yeas 64, nays 36, as follows :

YEAS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barrow, Bateman, Bennett, Bingham, Black, Bullock, Bunn, Byrd, Clingman, Cooper, Cowell, Cunningham, Davis, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Horton, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary,

Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Bean, Bell, Bliven, Blocker, Bowman, Buxton, Bryan, Cary, Crosby, Dobson, Dockery, Dula, Faircloth, Goodwin, Grantham, Hinnant, Hoffman, Holton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Page, Smythe, Taylor, Thorne, Wheeler and Woodfin.

The following delegates were paired off:

Messrs. Carter, Scott of Jones, Tourgee, and Withers.

The following ordinance, reported as correctly enrolled by the Committee on Enrolled Bills, was duly ratified in open Convention :

An ordinance to amend section 33, article 4, of the Constitution.

The Convention then proceeded to the consideration of O. No. 146: An ordinance in relation to municipal corporations, on its second reading.

The ordinance was read the second time.

Mr. Shepherd, as Chairman of the Committee on Municipal Corporations, offered the following substitute for the whole matter, which was adopted :

"The people of North Carolina in Convention assembled do ordain, That article seven of the Constitution be amended by adding another section thereto, as follows :

SECTION —. The General Assembly shall have full power by statute to modify, change or abrogate any and all of the provisions of this article and substitute others in their place, except sections seven, nine and thirteen."

The Convention then adjourned until 10 A. M. to-morrow.

TWENTY-NINTH DAY.

FRIDAY, October 8, 1875.

The Convention assembled pursuant to adjournment, the President in the chair.

Prayer was offered by Rev. Mr. Spake.

Leaves of absence were granted as follows :

To Mr. Bowman until Wednesday ;

To Mr. French for two days ;

To Mr. Manning, of New Hanover, for Saturday and Monday.

Mr. Turner presented a petition from certain citizens of Raleigh, praying the Convention to pass an ordinance forbidding the Legislature to levy a tax to pay the fraudulent State bonds, known as "special tax bonds," without first obtaining leave of the people at the polls by ballot ; which was read and placed on the calendar.

Reports from standing committees were submitted as follows :

From the Committee on the Judicial Department :

- By Mr. Bennett, R. No. 277: A resolution of instruction to the Committee on the Judicial Department, with an accompanying ordinance.

From the Committee on Municipal Corporations :

By Mr. Shepherd, R. No. 184: A resolution instructing the Committee on Municipal Corporations, to consider the propriety of amending divers and sundry inconsistent and contradictory sections of the Constitution herein pointed out, with a request that the Committee be discharged from the further consideration thereof.

At the expiration of the morning hour, the Convention proceeded to the consideration of the unfinished business of the preceding day, to-wit :

O. No. 146: An ordinance in relation to Municipal Corporations.

The ordinance was read.

Mr. Massey offered to amend by adding to section 14 these words:

“But nothing herein contained shall operate to deprive the people of the election of the officers now provided for under this article of the Constitution, as now provided by law.”

Mr. Durham called the previous question, and the main question was ordered to be put,

The question recurring on the amendment offered by Mr. Massey, the yeas and nays were ordered, and the amendment did not prevail. Yeas 55, nays 56, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Camberlain, Crosby, Davis, Dobson, Dockery, Dula, Faircloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCannless, McDonald, Mnuden, Nowell, O'Hara, Page, Smythe, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Durham, Everett, Faïson, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates were paired off: Messrs. Tourgee and Withers.

By leave, Mr. Manning, of New Hanover, offered the following amendment :

“ Add after the word ‘provide’ in 6th line of section 13 :
But the General Assembly shall not have authority to abolish the board of county commissioners, or establish the old county courts.”

The yeas and nays being ordered, the amendment did not prevail. Yeas 52, nays 57, as follows :

YEAS—Messrs. Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Cary, Crosby, Davis, Dockery, Dula, Faircloth, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O’Hara, Page, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Byrd, Carter, Clingman, Coleman, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

The following delegates paired off :

Messrs. Allison, Kerr, Tourgee and Withers.

By leave, Mr. King, of Lenoir, offered the following amendment : “ Strike out of section 7 all after the word ‘of’ in line 5.”

The Chair decided that the amendment was out of order,

as it was not strictly germane to the matter before the House.

Mr. King appealed from the decision of the Chair.

The Chair put the question: "Shall the decision of the Chair stand for the decision of the House?" and the decision of the Chair was sustained.

The question then recurring upon the passage of the ordinance on its second reading, the yeas and nays were ordered, and the ordinance passed the second time. Yeas 55, nays 54, as follows:

YEAS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Bullock, Buxton, Bryan, Byrd, Cary, Chamberlain, Crosby, Davis, Dobson, Dockery, Faireloth, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Lehman, Lowe, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Taylor, Thorne, Wheeler, Wilcox, Woodfin and Young.

The following delegates were paired off:

Messrs. Allison, Kerr, Tourgee and Withers.

On motion of Mr. Durham, the rules were suspended and the ordinance put upon its third reading.

The ordinance was read the third time.

The yeas and nays being ordered, the ordinance passed the third time. Yeas 57, nays 46, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassel, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Wilson.

NAYS—Messrs. Albertson, Barringer, Bateman, Bean, Bell, Black, Bliven, Blocker, Bowman, Boyd, Buxton, Bryan, Byrd, Cary, Camberlain, Cooper, Crosby, Davis, French, Goodwin, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Mabson, Manning of New Hanover, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Taylor, Thorne, Wheeler, Woodfin and Young.

The following delegates paired off:

Messrs. Tourgee and Withers.

Mr. Jarvis moved that the vote just had be reconsidered, and that motion be laid upon the table.

The motion to table prevailed.

The following ordinance, reported as correctly enrolled by the Committee on Enrolled Bills, was duly ratified.

Ordinance to add two sections to article 4 of the Constitution of North Carolina.

The Convention then adjourned until 10 A. M. to-morrow.

THIRTIETH DAY.

SATURDAY, October 9, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Dr. Atkinson.

The Journal of yesterday was read and approved.

On motion, Messrs. Faircloth, Scott of Jones, Lehman, Lowe, Badger, Smythe, Barrow and King of Lenoir, were permitted to have their votes recorded in the negative on the third reading of O. No. 146: An ordinance in relation to Municipal Corporations.

Mr. Clingman presented a petition from the Board of Aldermen of the city of Charlotte, N. C., relative to the re establishment of the Branch Mint of the city of Charlotte. Read and referred to the Committee on Miscellaneous Provisions.

Mr. Turner offered a petition from the grand jury of Wake county, praying the Convention to ordain that the fifteen million dollars (\$15,000,000) of bonds, known as special tax bonds, should not be paid before the people of North Carolina, who are to pay them, shall be allowed to pass upon their merits and validity at the polls; and expressing their conviction that these bonds were "issued in bribery and scandalous corruption." Placed on the calendar.

Mr. Bennett, from the Committee on the Judicial Department, reported R. No. 265: A resolution of instruction to the Committee on the Judicial Department, concerning divorces, with a unanimous opinion of the committee, that this Convention has no power to grant divorces.

The following ordinances and resolutions were introduced, read and passed the first time, and were referred or otherwise disposed of, as follows:

By Mr. Bryan: An ordinance to regulate and establish the

salaries of State officers and judicial officers, now and hereafter to be established by law. Placed on the calendar.

By Mr. Boyd: A resolution in regard to taxes due the county of Alamance from the State of North Carolina. Placed on the calendar.

By Mr. Cary: A resolution of instruction to the Committee on Education. Placed on the calendar.

By Mr. Wilcox: A resolution to pay the contestants from Surry. Placed on the calendar.

By Mr. Badger: An ordinance to amend article 7, section 7, of the Constitution. Placed on the calendar.

The consideration of general orders being in order, the Convention entered upon the consideration of O. No. 249: An ordinance to amend article 11, by adding an additional section.

The ordinance was read the second time.

The question recurred on the adoption of the substitute, which reads as follows:

“The foregoing provision for imprisonment with hard labor shall be construed to authorize the employment of such convict labor on public works, or highways, or other labor for public benefit, and the farming out thereof where and in such manner as may be provided by law.”

The substitute was adopted.

Mr. Tourgee offered to amend by adding:

“*Provided*, That no convict whose labor may be farmed out shall be punished for any failure of duty as a laborer except by a responsible officer of the State.”

The amendment was adopted.

The question recurring on the passage of the ordinance on its second reading, the yeas and nays were ordered, and it passed the second time, yeas 98, nays 9, as follows:

YEAS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Barrow, Bateman, Bean, Bennett, Bingham, Black, Blocker, Boyd, Bullock, Bunn, Cary, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowe l, Crosby, Cunningham, Davis, Dobson, Dockery, Dula, Durham, Everett, Faircloth, Faison, Farrior, George, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hodge, Hoffman, Holton, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, King of Pitt, Kirby, Love, Lowe, Mabson, Manning of Chatham, Marshall, Massey, McCabe, McCanless, McCorkle, McDonold, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Tourgee, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers, Woodfin and Young.

NAYS—Messrs. Badger, Bell, Buxton, Bryan, Grantham, Lehman, Page, Smythe and Thorne.

Messrs. Bowman and Byrd were paired off.

The rules were suspended and the ordinance put upon its third reading.

Mr. Bennett offered to amend by adding: "But no convict shall be farmed out who has been sentenced on a charge of murder, manslaughter, rape, attempt to commit rape, or arson."

The amendment was adopted.

Mr. Young offered the following amendment: "But the convict so farmed out shall be at all times under the supervision and control, as to their government and discipline, of the Penitentiary Board, or some officer of this State."

The amendment prevailed, and the ordinance, as amended, passed the third time.

The Convention next entered upon the consideration of O. No. 198: An ordinance to amend section 24, article 1, of

the Constitution, prohibiting the carrying of concealed weapons.

The ordinance was read the second time.

The question recurred on the adoption of the substitute proposed by the Committee, and it was adopted, as follows:

At the end of section 24, article 1, add: "Nothing herein contained shall justify the practice of carrying concealed weapons, or prevent the Legislature from enacting penal statutes against said practice."

The ordinance then passed the second time.

The rules were suspended, and the ordinance was read and passed the third time.

Mr. Durham moved to suspend the rules and take up O. No. —: An ordinance to amend article 4 of the Constitution by striking out section 31, and inserting in lieu thereof the following:

"All vacancies occurring in the offices provided for by this article of this Constitution shall be filled by the appointments of the Governor, unless otherwise provided for, and the appointees shall hold their places until the next regular election for members of the General Assembly, when elections shall be held to fill such offices. If any person, elected or appointed to any of said offices, shall neglect and fail to qualify, such office shall be appointed to, held and filled as provided in case of vacancies occurring therein. All incumbents of said offices shall hold until their successors are qualified."

The motion prevailed and the ordinance was read and passed the second and third times.

Mr. Durham moved to suspend the rules and take up O. No. 106: An ordinance to amend section 6, article 10, of the Constitution, prohibiting intermarriage of the races.

The yeas and nays being ordered, the motion prevailed. Yeas 72, nays 20, as follows:

YEAS—Messrs. Bennett, Bingham, Blocker, Bunn, Byrd,

Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Dockery, Dula, Durham, Everett, Faircloth, Faison, Farrior, George, Grantham, Green, Harrington, Hassell, Henderson, Hoffman, Holton, Jarvis, Jones of Yadin, King of Pitt, Kirby, Lehman, Love, Mabson, Manning of Chatham, Marshall, Massey, McCorkle, McDonald, McEachin, Morehead, Neal, Nicholson, Patterson, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson and Withers.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bean, Black, Bliven, Cary, Crosby, Davis, Hampton, Hinnant, McCabe, Munden, O'Hara, Page, Thorne, Tourgee, Woodfin and Young.

The ordinance was read the second time.

Mr. Durham moved the previous question, and the main question was ordered.

The question recurred on the adoption of the substitute proposed by the committee, and it was adopted.

By leave, Mr. Albertson offered to amend by striking out "Indians."

The amendment was accepted.

By leave, Mr. Smythe offered to amend by striking out "negro."

The yeas and nays being ordered, the amendment did not prevail, yeas 1, nays 102, as follows :

YEAS—Mr. Thorne.

NAYS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bateman, Bean, Bell, Bennett, Bingham, Black, Bliven, Blocker, Boyd, Bunn, Buxton, Bryan, Cary, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Davis, Dobson, Dockery, Dula, Durham, Everett, Faircloth, Faison, Farrior, George, Grantham, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hodge, Hoffman,

Holton, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Justice, Kerr, King of Pitt, Kirby, Lehman, Love, Lowe, Marshall, Massey, McCabe, McCanless, McCorkle, McDonald, McEachin, Morehead, Motz, Neal, Nicholson, Newell, O'Hara, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers and Young.

The following delegates were paired :

Messrs. Bowman, Pyrd, Manning of Chatham, and Manning of New Hanover.

The question then recurred on the passage of the ordinance, as amended, on its second reading, and it passed the second time.

On motion, the rules were suspended and the ordinance put upon its third reading.

The ordinance was read the third time.

Mr. O'Hara offered to amend by adding the following :

“And that the General Assembly shall make the cohabitation of white men with negro women, to the third generation inclusive, a felony.”

The yeas and nays being ordered, the amendment did not prevail. Yeas 46, nays 59, as follows :

YEAS—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Boyd, Buxton, Bryan, Cary, Cooper, Crosby, Davis, Dockery, Grantham, Hampton, Hinant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, Lehman, Lowe, Mabson, Massey, McCabe, McCanless, McDonald, Munden, O'Hara, Page, Scott of Jones, Smythe, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Madison,

Avery, Barringer, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cowell, Cunningham, Dobson, Dula, Durham, Everett, Faircloth, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The following delegates were paired :

Messrs. Bownan and Byrd.

Mr. Tourgee offered to amend by adding the following :
 "That any act of illicit sexual intercourse between a white person and a negro, or a person of negro blood to the third degree, shall be a misdemeanor."

The yeas and nays being ordered, the amendment did not prevail, yeas 43, nays 61, as follows :

YEAS—Messrs. Albertson, Badger, Barrow, Bean, Bell, Black, Bliven, Blocker, Buxton, Bryan, Cary, Cooper, Crosby, Davis, Dockery, Dula, Faircloth, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Mabson, Massey, McCabe, McCanless, McDonald, Munden, O'Hara, Page, Scott of Jones, Smythe, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Bateman, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Lehman, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Nowell, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stal-

lings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

Messrs. Bowman and Byrd were paired off.

Mr. Durham moved the previous question, and the main question was ordered.

The question recurring on the passage of the ordinance on its third reading, the yeas and nays were ordered, and the ordinance passed the third time. Yeas 96, nays 2, as follows:

YEAS—Messrs. Albertson, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bateman, Bean, Bell, Bennett, Bingham, Black, Bliven, Blocker, Boyd, Bunn, Buxton, Bryan, Cary, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Cunningham, Davis, Dobson, Dockery, Dula, Durham, Everett, Faison, Farrior, George, Grantham, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hodge, Hoffmar, Holton, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, King of Pitt, Kirby, Love, Mabson, Marshall, Massey, McCabe, McCannless, McCorkle, McDonald, McEachin, Morehead, Motz, Munden, Neal, Nicholson, Nowell, O'Hara, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wheeler, Wilcox, Wilson, Withers, Woodfin and Young.

NAYS—Messrs. Crosby and Thorne.

The following delegates were paired off:

Messrs. Bowman, Byrd, Manning of Chatham and Manning of New Hanover.

O. No. — : An ordinance to add an additional section to article 4, was next taken up and read the second time.

The ordinance reads as follows:

“In case the General Assembly shall establish other Courts inferior to the Supreme Court, the Judges and Clerks thereof shall be elected in such manner as the General Assembly may

prescribe, and they shall hold their offices for a term not exceeding eight years."

Mr. Tourgee offered to amend by inserting "by the qualified voters within their respective jurisdiction," in the third line.

The yeas and nays were ordered, and the amendment was rejected, yeas 48, nays 57, as follows:

YEAS—Messrs. Alberson, Badger, Barringer, Barrow, Bate-man, Bean, Bell, Black, Bliven, Blocker, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, Faircloth, Grantham, Hampton, Hinnant, Hodge, Hoffinan, Holton, Horton, Jones of Yadkin, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Massey, McCabe, McCanless, McDonald, Munden, O'Hara, Page, Scott of Jones, Smythe, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Hodge, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The following delegates paired off:

Messrs. Bowman, Byrd, Manning of Chatham, Manning of New Hanover.

Mr. Massey offered to amend by inserting in line 3, between the word "elected" and the word "in," the words "by the people, and by striking out the word "eight" and inserting "four" in line 5.

The yeas and nays being ordered, the amendment was rejected, yeas 49, nays 54, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Boyd, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, Faircloth, Grantham, Hampton, Hinnant, Hodge, Hoffinan, Holton, Horton, Jones of Yadkin, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Massey, McCabe, McCanless, McDonald, Nowell, O'Hara, Page, Scott of Jones, Smythe, Thorne, Tourgee, Wheeler, Wilcox, Wilson, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cowell, Cunningham, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shoher, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts and Withers.

Messrs. Bowman, Byrd, Manning of Chatham, and Manning of New Hanover, were paired off.

Mr. Jarvis offered the following amendment: Strike out "judges" in line 2, and insert "presiding officers"; and in line 4 insert, after the word "may," the words "from time to time."

The amendment was adopted.

Mr. Cooper offered to amend by adding: "And the expense of said court shall be defrayed by the county, city, or other municipal corporation for which the same shall be established."

Pending its consideration, Mr. Durham called the previous question.

The call was sustained, and the amendment was rejected.

The ordinance then passed the second time.

Mr. Durham moved that the rules be suspended, and the ordinance be put upon its third reading.

The yeas and nays were ordered, and the motion prevailed.
Yeas 62, nays 46, as follows :

YEAS—Mr. President, Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Boyd, Bunn, Byrd, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Massey, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dula, Fairecloth, Grant-ham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Justice, King of Lenoir, Lehman, Lowe, Mabson, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Thorne, Tourgee, Wilcox, Woodfin and Young.

Mr. Tourgee moved to amend by striking out " 3 " in line — and inserting " 2."

The yeas and nays were ordered, and the amendment did not prevail, yeas 41, nays 63, as follows :

YEAS—Messrs. Albertson, Badger, Bean, Bell, Black, Bliven, Blocker, Boyd, Buxton, Bryan, Cary, Crosby, Davis, Dockery, Dula, Hampton, Hinnant, Hodge, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Thorne, Tourgee, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Barringer, Barrow, Bennett, Bingham, Bunn, Carter, Chamberlain, Clingman, Coleman, Cowell, Cun-

ingham, Dobson, Durham, Everett, Faircloth, Faison, Farrior, George, Grantham, Green, Harrington, Hassell, Henderson, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The following delegates were paired : Messrs. Bowman and Byrd.

Mr. Badger offered the following amendment :

“But no such officer shall be elected by the General Assembly or appointed by the Governor alone, or by and with the advice and consent of the Senate.”

The yeas and nays were ordered, and the amendment was rejected. Yeas 49, nays 58, as follows :

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Buxton, Bryan, Cary, Chamberlain, Crosby, Davis, Dockery, Dula, Faircloth, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Massey, McCabe, McCanless, McDonald, Munden, Nowell, Page, Scott of Jones, Smythe, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake,

Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The following delegates paired off:

Messrs. Byrd and Bowman.

Mr. Albertson offered to amend by striking out the word "clerks" wherever it occurs.

The yeas and nays were ordered, and the amendment was rejected. Yeas 46, nays 55, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bate-man, Bean, Bell, Black, Bliven, Blocker, Boyd, Bullock, Chamberlain, Crosby Davis, Dula, Grantham, Hampton, Hin-nant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mab-son, Massey, McCabe, McCanless, McDonald, Munden, Now-ell, Page, Scott of Jones, Smythe, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Avery, Bennett, Bingham, Bunn, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Dockery, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Cald-well, King of Pitt, Kirby, Love, Marshall, McCorkle, Mc-Eachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

The ordinance then passed the third time, yeas 57, nays 49, as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Ander-son of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow,

Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

NAYS—Messrs. Albertson, Badger, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Boyd, Buxton, Bryan, Cary, Chamberlain, Cooper, Crosby, Davis, Dockery, Dula, Faircloth, Hampton, Hinnant, Hodge, Hoffman, Holton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Massey, McCabe, McCauley, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

The following delegates paired off:

Messrs. Bowman, Byrd, Manning of Chatham and Manning of New Hanover.

The following ordinances and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified in open Convention:

An ordinance to amend the ordinance submitting the amendments to the Constitution to the people;

An ordinance to amend article 4 of the Constitution, by striking out sections 26 and 27, and inserting another in lieu thereof;

An ordinance to amend section 1, article 6, of the Constitution;

An ordinance to amend article 7 of the Constitution, by adding another section thereto;

Resolution to pay the Public Auditor and Secretary of the Convention;

Resolution authorizing the Secretary of State to employ clerical assistance to copy the ordinances passed by this Convention, for the public printer;

An ordinance to amend article 11, by adding an additional section thereto.

Mr. Badger moved that the Convention do now adjourn.

The motion prevailed, yeas 67, nays 33:

YEAS—Messrs. Albertson, Anderson of Madison, Badger, Barringer, Barrow, Bateman, Bean, Bell, Bennett, Bingham, Black, Bliven, Blocker, Bunn, Buxton, Bryan, Cary, Chamberlain, Clingman, Coleman, Cooper, Cowell, Crosby, Davis, Dockery, Dula, Durham, Faircloth, Faison, Grantham, Hampton, Harrington, Hinnant, Hodge, Hoffman, Holton, Jones of Yadkin, Jordan, Justice, King of Lenoir, Kirby, Love, Lowe, Mabson, Marshall, Massey, McCabe, McCanless, McCorkle, McDonald, Morehead, Munden, Neal, Nowell, O'Hara, Page, Scott of Jones, Spake, Thorne, Tourgee, Vaughan, Wilcox, Wilson, Withers, Woodfin and Young.

NAYS—Messrs Allman, Avery, Carter, Cunningham, Dobson, Everett, Farrior, George, Green, Hassell, Henderson, Jarvis, Jones of Caldwell, Kiug of Pitt, Manning of Chatham, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Stallings, Strowd, Summers and Turner.

The following gentlemen were paired :

Messrs. Bowman, Byrd, Manning of Chatham and Manning of New Hanover.

Thereupon the Convention stood adjourned until 10 A. M. Monday.

THIRTY-FIRST DAY.

MONDAY, October 11, 1875.

The Convention assembled at 10 A. M., the President in the chair.

Prayer was offered by Rev. Mr. Spake.

The Journal of yesterday was read and approved.

Leaves of absence were granted as follows :

To Mr. Mannix from last Wednesday until to morrow ;

To Mr. Goodwin from Saturday until to morrow ;

To Mr. Bullock from Saturday until to day.

Mr. Turner presented a petition from certain citizens of Wake county praying the Convention to pass an ordinance forbidding the Legislature to pay the special tax bonds, without first consulting the people at the polls. Read and placed on the calendar.

Reports from standing committees were submitted as follows :

From the Committee on the Judicial Department :

By Mr. Bennett, O. No. 14 : An ordinance amending certain sections of article 4 of the Constitution, with an accompanying substitute.

On motion of Mr. Bennett, the rules were suspended and the ordinance put upon its passage.

The ordinance was read the second time ; the substitute proposed by the Committee was adopted, and the ordinance, as amended, passed the second time.

The ordinance was then read and passed the third time.

By Mr. Manning, the following :

“ A majority of the Committee on the Judicial Department beg leave to report that they have considered the resolutions enquiring into the power of this Convention to relieve the Salisbury and Cheraw Railroad from the penalties for altering the gauge, and they report that, in their opinion, such resolution is a legislative act, and within the restrictions of the act of Assembly calling the Convention.”

Mr. Reid, from the Committee on Revision, submitted the following report :

“ The Committee on Revision have had the ordinances amendatory of the Constitution under consideration, and submit that they have examined all the said ordinances and find

that the copies of the same, as filed in the office of the Secretary of State, are correct.

The attention of the Convention is called to the fact that the amendments ratified in 1873 strike out several sections of the Constitution, and would necessitate a change in the numbers of the sections of the original Constitution, if this body deem it important.

Your Committee recommend that all of said ordinances be submitted in the manner already provided by law.

(Signed)

REID, Chairman."

The report was read and adopted.

Mr. Morehead, from the Committee on Contingent Expenses, submitted a report, with vouchers, which was read and received.

Mr. Reid offered an ordinance authorizing the Secretary of State to employ additional clerical assistance.

The rules were suspended, and the ordinance put upon its several readings.

It was then read and passed the second and third times.

The following ordinances and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified:

An ordinance to amend article 4 of the Constitution, by adding an additional section thereto.

An ordinance to amend article 14 of the Constitution, prohibiting intermarriage of the races.

An ordinance to amend section 24, article 1, of the Constitution.

An ordinance to amend section 31, article 4, of the Constitution.

An ordinance to amend article 4, section 10, of the Constitution of North Carolina.

A resolution authorizing the Secretary of State to employ additional clerical assistance.

On motion of Mr. Avery, the Committee on Contingent

Expenses were directed to pay John Cox, a page of this Convention, the sum of two dollars (\$2.00) *per diem* during the term of his service as an employee of the Convention.

Mr. Manning, of Chatham, moved that the rules be suspended, and that the House take up R. No. 277: A resolution of instruction to the Committee on the Judicial Department.

The motion to suspend the rules did not prevail.

Mr. Munden moved to suspend the rules and take up O. No. 154: An ordinance to reduce the number of State Senators to twenty-five.

The yeas and nays being ordered, the House refused to suspend the rules. Yeas 55, nays 56, as follows:

YEAS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Bingham, Black, Bliven, Blocker, Boyd, Buxton, Bryan, Cary, Chamberlain, Clingman, Crosby, Davis, Dockery, Dula, Faircloth, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Massey, McCabe, McCanless, McDonald, Munden, Nowell, O'Hara, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Vaughan, Watts, Wheeler, Wilcox, Woodfin and Young.

NAYS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bunn, Byrd, Carter, Coleman, Cooper, Cowell, Cunningham, Dobson, Durham, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Wilson and Withers.

Mr. Manning, of Chatham, moved to suspend the rules and take up R. No. 277: A resolution of instruction to the Committee on the Judicial Department.

The yeas and nays being ordered, the Convention refused to suspend the rules, yeas 56, nays 47, as follows :

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Boyd, Bunn, Byrd, Carter, Cooper, Cowell, Cunningham, Dobson, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, King of Pitt, Kirby, Love, Manning of Chat-ham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Vaughan, Watts, Wilson and Withers.

NAYS—Messrs. Albertson, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Buxton, Bryan, Cary, Chamberlain, Clingman, Coleman, Crosby, Davis, Dockery, Durham, Faircloth, Grantham, Hampton, Hinnant, Hodge, Hoffman, Horton, Jones of Yadkin, Jordan, Kerr, King of Lenoir, Lowe, Mabson, Massey, McCabe, McDonald, Munden, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Turner, Wheeler, Wilcox, Woodfin and Young.

Mr. Jarvis offered a resolution that this Convention do adjourn *sine die* at six o'clock P. M. Oct. 11, 1875 ; and moved that the rules be suspended in order to place the resolution on its immediate adoption.

The yeas and nays were ordered, and the motion prevailed, yeas 108, nays 2, as follows :

YEAS—Messrs. Albertson, Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Badger, Barringer, Barrow, Bateman, Bean, Bell, Bennett, Bingham, Black, Bliven, Blocker, Boyd, Bunn, Buxton, Bryan, Byrd, Cary, Carter, Chamberlain, Clingman, Coleman, Cooper, Cowell, Crosby, Cunningham, Davis, Dobson, Dockery, Dula, Durham, Everett, Faircloth, Faison, Farrior, George, Grantham, Green, Hampton, Harrington, Hassell, Henderson, Hinnant, Hodge, Hoffman, Holton, Horton, Jarvis, Jones of Caldwell, Jones of Yadkin, Jordan, Justice, Kerr, King of Lenoir, King of

Pitt, Kirby, Lehman, Lowe, Mabson, Manning of Chatham, Marshall, Massey, McCabe, McCanless, McCorkle, McDonald, McEachin, Morehead, Motz, Munden, Nea', Nicholson, Nowell, O'Hara, Page, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Jones, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Smythe, Spake, Stallings, Strowd, Summers, Taylor, Thorne, Tourgee, Vaughan, Watts, Wheeler, Wilson, Withers, Woodfin and Young.

NAYS—Messrs. Love and Turner.

The resolution was read.

Mr. Turner moved to amend by striking out "October 11th" and inserting "October 12th."

Pending the consideration of the amendment, Mr. Durham demanded the previous question.

The call was sustained.

The question recurring first on the amendment proposed by Mr. Turner, it was rejected.

The question next recurred on the passage of the resolution, and it was adopted.

On motion, Mr. Badger was permitted to withdraw from the possession of the Public Auditor a certain certificate of his *per diem* in order to correct an error therein.

Mr. Wilcox moved that he be allowed to withdraw from the Committee on Privileges and Elections.

Pending the consideration of this motion, Mr. Jarvis moved that the Convention take a recess until half-past five o'clock to-day.

The motion prevailed, and the Convention adjourned until 5:30 P. M. to-day.

EVENING SESSION.

October 11, 1875.

The Convention assembled at 5:30 P. M., pursuant to adjournment, the President in the chair.

Mr. Barringer offered a protest, and moved that it be read and spread upon the Journal of this Convention.

Mr. Jarvis moved that that motion be laid upon the table, and demanded the yeas and nays on his motion.

The call was sustained, and the vote resulted as follows:

YEAS—Messrs. Allison, Allman, Anderson of Clay, Anderson of Madison, Avery, Bennett, Bingham, Bunn, Carter, Clingman, Coleman, Cooper, Cowell, Cunningham, Dobson, Everett, Faison, Farrior, George, Green, Harrington, Hassell, Henderson, Jarvis, Jones of Caldwell, King of Pitt, Kirby, Love, Manning of Chatham, Marshall, McCorkle, McEachin, Morehead, Motz, Neal, Nicholson, Patterson, Price, Redwine, Reid, Robbins, Roberts of Davidson, Roberts of Gates, Rumley, Scott of Onslow, Shepherd, Shober, Sinclair, Singeltary, Spake, Stallings, Strowd, Summers, Turner, Vaughan, Watts, Wilson and Withers.

NAYS—Messrs. Albertson, Badger, Barringer, Barrow, Bateman, Bean, Bell, Black, Bliven, Blocker, Boyd, Bullock, Buxton, Bryan, Chamberlain, Crosby, Davis, Dockery, Dula, Durham, Fairecloth, Grantham, Hampton, Hinnant, Hodge, Hoffman, Holton, Horton, Jones of Yadkin, Jordan, Kerr, King of Lenoir, Lehman, Lowe, Mabson, Massey, McCabe, McCaules, McDonald, Munden, Nowell, O'Hara, Page, Scott of Jones, Smythe, Taylor, Thorne, Tourgee, Wheeler, Wilcox, Woodfin and Young.

Before the vote could be summed up by the Secretary and announced by the Chair, the hour for adjournment (6 P. M.) fixed by resolution of the Convention arrived, and the President declared that this Convention stands adjourned *sine die*.

E. RANSOM,

President of the Convention.

JOHNSTONE JONES, *Secretary.*

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JOURNAL OF THE CONVENTION OF 1875.

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Mr. [Name] [Address] [City] [State] [Country]

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